



Planning Committee North

Members are invited to a **Meeting of the Planning Committee North** to be held in the Conference Room, Riverside, Lowestoft on **Tuesday, 14 November 2023 at 2.00pm**

This meeting will be broadcast to the public via the East Suffolk YouTube Channel at <https://youtube.com/live/YizNQy0m9MQ?feature=share>

Members:

Councillor Sarah Plummer (Chair), Councillor Julia Ewart (Vice-Chair), Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Geoff Wakeling.

An Agenda is set out below.

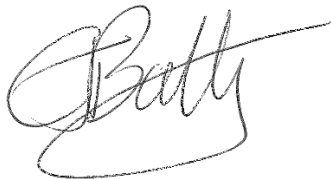
Part One – Open to the Public		Pages
1	Apologies for Absence and Substitutions	
2	Declarations of Interest Members and Officers are invited to make any declarations of interests, and the nature of that interest, that they may have in relation to items on the Agenda and are also reminded to make any declarations at any stage during the Meeting if it becomes apparent that this may be required when a particular item or issue is considered.	
3	Declarations of Lobbying and Responses to Lobbying To receive any Declarations of Lobbying in respect of any item on the agenda and also declarations of any response to that lobbying.	
4a	Minutes - September 2023 To confirm as a correct record the minutes of the meeting held on 12 September 2023.	1 - 33
4b	Minutes - October 2023 To confirm as a correct record the minutes of the meeting held on 10 October 2023.	34 - 66
5	East Suffolk Enforcement Action - Case Update ES/1726 Report of the Head of Planning and Coastal Management.	67 - 81

Part One – Open to the Public		Pages
6	DC/23/2049/FUL - Former Town Hall, High Street, Lowestoft, NR32 1HU ES/1729 Report of the Head of Planning and Coastal Management.	82 - 105
7	DC/23/2050/LBC - Former Town Hall, High Street, Lowestoft, NR32 1HU ES/1730 Report of the Head of Planning and Coastal Management.	106 - 122
8	DC/22/4746/FUL - 35 King Georges Avenue, Leiston, IP16 4JX ES/1731 Report of the Head of Planning and Coastal Management.	123 - 132
9	DC/23/3038/FUL - Sole Bay Fish Company, 22E Blackshore, Southwold, IP18 6ND ES/1732 Report of the Head of Planning and Coastal Management.	133 - 139
10	DC/23/3635/RG3 - Jubilee Parade, Lowestoft, NR33 0DG ES/1733 Report of the Head of Planning and Coastal Management.	140 - 147
11	DC/23/3171/FUL - The Walled Garden, High Street, Wickham Market, IP13 0QS ES/1734 Report of the Head of Planning and Coastal Management.	148 - 163

Part Two – Exempt/Confidential	Pages
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There are no Exempt or Confidential items for this Agenda.

Close



Chris Bally, Chief Executive

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Speaking at Planning Committee Meetings

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Interested parties permitted to speak on an application are a representative of Town / Parish Council or Parish Meeting, the applicant or representative, an objector, and the relevant ward Members. Interested parties will be given a maximum of three minutes to speak and the intention is that only one person would speak from each of the above parties.

If you are registered to speak, can we please ask that you arrive at the meeting **prior to its start time (as detailed on the agenda)** and make yourself known to the Committee Clerk, as the agenda may be re-ordered by the Chairman to bring forward items with public speaking and the item you have registered to speak on could be heard by the Committee earlier than planned.

Please note that any illustrative material you wish to have displayed at the meeting, or any further supporting information you wish to have circulated to the Committee, must be submitted to the Planning team **at least 24 hours** before the meeting.

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Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, on **Tuesday, 12 September 2023 at 2.00 pm**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

Other Members present:

Councillor Peter Byatt, Councillor Alan Green

Officers present: Daniel Bailes (Trainee Planner), Jamie Behling (Assistant Planner), Joe Blackmore (Principal Planner (Development Management, North Area Lead), Matthew Gee (Senior Planner), Mia Glass (Enforcement Planner), Alli Stone (Democratic Services Officer), Nicola Wotton (Member Services and Manager), Ben Woolnough (Planning Manager - Development Manager, Major Sites & Infrastructure)

1 Apologies for Absence and Substitutions

Apologies for absence were received from Councillor Andree Gee.

2 Declarations of Interest

Councillor Ashton declared an Other Registerable Interest in item 7, as he was the Ward Councillor for Wrentham, Wangford and Westleton.

Councillor Pitchers declared an Other Registerable Interest in Items 6 and 11, as he was the Ward Councillor for Kirkley and Pakefield.

Councillor Wakeling declared that he had a Disclosable Pecuniary Interest in Item 7, as he was the Applicant. Members noted that a Dispensation had been granted by the Monitoring Officer and Councillor Wakeling would therefore be able to participate, speak and remain in the room during the consideration of Item 7 as the applicant, in common with the rights of other applicants to address the Committee, however, he would not vote on the application.

3 Declarations of Lobbying and Responses to Lobbying

Councillors Ashdown, Ashton, Ewart, Hammond, Pitchers and Plummer declared that they had been lobbied in relation to Item 6 but had not responded.

4 Minutes

On the proposition of Councillor Ashdown, seconded by Councillor Pitchers, it was by a unanimous vote

RESOLVED

That the minutes of the meeting held on 8 August 2023 be agreed as a correct record and signed by the Chair.

5 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1645** of the Head of Planning and Coastal Management which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 23 August 2023. At that time there were 19 such cases.

The Chair invited the Enforcement Planner to comment on the report.

The Enforcement Planner reported that there were 2 updates in relation to appeals. It was noted that in respect of case B.3, 26 Higher Drive, Worlingham, the Planning Inspectorate had upheld the Council's decision in relation to the breach and had also granted permission for the fence.

With regards to case B.4, The Paddocks, The Street, Lound, the appeal had been dismissed by the Planning Inspectorate and applicant had 4 months to comply with the decision. A site visit by the Enforcement Team would be arranged during January 2024 to ensure that compliance had been achieved.

Councillor Ashdown took the opportunity to thank officers for their ongoing hard work in relation to case B.4 in Lound.

On the proposition of Councillor Hammond, seconded by Councillor Ashdown it was unanimously

RESOLVED

That the outstanding enforcement matters up to 23 August 2023 be noted.

6 DC/22/2520/FUL - Pakefield Caravan Park, Arbor Lane, Lowestoft, NR33 7BE

The Committee received report **ES/1646** of the Head of Planning and Coastal Management, which related to planning application DC/22/250/FUL. The application sought full planning permission for an extension to the Pakefield Caravan Park, to

include a new access onto the A12, a new entrance and clubhouse building, the siting of 86 units on the site, and environmental improvements and landscaping.

The application was first received by the Committee at its meeting on 8 August 2023, where it was deferred to allow Members of the Committee to undertake a site visit. The Planning Development Manager advised that a Site Visit had taken place earlier today, before the meeting of the Committee. Members had viewed the existing site, the view of the cliffs from the beach, Jubilee Road and the site access on the A12 and, therefore, Members were able to fully understand the proposals under consideration this afternoon. It was noted that Councillor Ashton had visited the site in his own time, as he had been unable to attend the scheduled site visit earlier today.

The application sought full planning permission for the extension of Pakefield Holiday Park, to provide for the following development on land to the west of the park:

1. A new and improved access and main site entrance off the A12.
2. New entrance buildings and clubhouse facility.
3. The siting of additional static holiday caravans, involving the rollback of existing static caravans away from the coast.
4. Environmental improvements and landscaping throughout.

The Committee received a presentation from the Senior Planner, who was the case officer for the application.

The site location was outlined in relation to the current holiday park. The Senior Planner also shared aerial photographs and 3D models of the site and photographs through the site showing the existing agricultural buildings, which would be removed, and the site boundaries. It was noted that there had been an amendment to the proposed landscaping, with the planting of additional trees proposed for the northern boundary to minimise the impact on properties in Jubilee Road.

The Senior Planner shared photographs showing the current entrance to the site and the proposed entrance to the site. The proposed access arrangements including new signage were displayed. The Senior Planner explained that the new entrance and exit would be left turn only, and displayed the proposed block plan showing access barriers on the site.

The proposed elevations, floor plans and models of the new club house were displayed. The Senior Planner stated that this had been designed to be a similar size to the existing agricultural buildings on the site. Indicative drawings of the new caravans which would be used on the site were displayed, the Senior Planner stated that a limited colour palette would be conditioned for the new caravans. The proposed landscaping and an illustrative masterplan were also displayed.

The Senior Planner shared aerial photographs showing coastal erosion on the site since 1999 and a plan of the coastal change management area. It was estimated that twenty three pitches had been lost on the site due to coastal erosion. The extension of the site would facilitate the rollback from the coast in this area.

The proposed links to public footpaths in the area were shared.

The Senior Planner summarised the material planning considerations and key issues as:

- Policy and Legislative Background
- Principle of Development
- Holiday Occupation and Restrictions
- Landscape and Visual Impact
- Highways and Transport
- Economic Considerations
- Amenity Impacts
- Ecology and Biodiversity
- Coastal Change Management and Re-location of Development Affected by Coastal Erosion
- Sustainability
- Heritage Assets
- Other Matters

The Senior Planner confirmed that the Local Development Plan was supportive of new tourist accommodation in this area and a condition would be added to ensure the accommodation was not used as a full time residence. The quality of tourist accommodation would be improved and the long term viability of the site would be increased as a result of the proposed development. The development would still ensure there was sufficient distance between Lowestoft and Kessingland. The new access route into the site would reduce the traffic in the nearby residential area, to the benefit of those residents.

It was noted that objectors had raised concerns about noise from the club house and reassurance was provided that there would be no amplified music after 10.30pm and that the club house had an acoustic design to reduce noise nuisance. Additional landscaping and boundary work would also help to mitigate noise to the northern boundary. The site would have solar panels, some EV charging and would encourage cycling. A number of surveys had been completed and mitigation had been recommended, as appropriate.

The recommendation to approve the application, subject to the conditions set out in the report, was outlined to the Committee.

Members raised questions relating to:

- Access from the A12 and Signage
- Music at the Club House
- Contaminated Land Report
- Maintenance of the ditch
- Behaviour on the caravan site
- EV car charging, parking and sustainable transport

In respect to the proposed site entrance from the A12, it was confirmed that an island would be installed to reduce the potential for cars turning right in and out of the site and there would be signage installed to direct traffic. The Planning Development Manager reported that a Section 278 Agreement was required and that the access would need to be completed prior to the development taking place, and the new

signage would also be in place during the construction phase. It was noted that the barriers to the caravan park would be set back to allow for vehicles to wait to gain access to site, which would ensure that the A12 would not be blocked by vehicles waiting to enter the site. Alternatively, the barriers could be opened to allow for vehicles to enter to be processed in the Club House during very busy periods. It was noted that the A12 had a 40 mph speed limit at the proposed access site and concern was raised about vehicles slowing and turning into the proposed entrance and a reduction in the speed limit to 30 mph was suggested. Officers explained that a Traffic Regulation Order (TRO) would be required to make such a change, which had not been suggested by the Highways Authority. Overall, it was noted that the updated proposed access to the site was an improvement on the previous proposal.

Clarification was provided in relation to music at the Club House and it was confirmed that any and all amplified music would need to cease by 10.30pm. A Member raised concerns that properties 22 and 35 on Jubilee Road may be significantly affected by noise from the site. It was confirmed that the caravan site owners were keen to consult and engage with local residents and this was included within the Management Plan. Confirmation was provided that Environmental Protection had been involved with the application and that a Noise Control Plan would be in place to protect the residential amenity of nearby residents. Should there be issues with noise, residents should keep a record and ask Environmental Protection to investigate.

Officers confirmed that the Contaminated Land Survey would be undertaken. It was noted that the Biodiversity Net Gain was a voluntary requirement and from November 2023, there would need to be 110% biodiversity mitigation for the development.

In relation to the ditch at the edge of the northern site boundary, Officers confirmed that the caravan site was the owner of one side and the property owners were each responsible for their small section on their side of the ditch. The caravan site owners had agreed to undertake the long term maintenance of both sides of the ditch.

In terms of the use of BBQs, possibly near to flammable items such as propane gas bottles or wooden fencing, and other matters such as the use of washing lines by caravan users, it was confirmed that these would be covered by the licensing rules imposed by the caravan park.

Confirmation was provided that there was no set amount of EV charging points that the caravan site needed to provide and it was noted that some EV vehicles may be able to be charged outside the caravans. In terms of sustainable transport to the caravan site, it was reported that the nearest bus stop was in Tower Road and it was considered a reasonable distance for visitors to walk from Tower Road to the caravan site, with some luggage.

Mr Harrison, Objector

Mr Harrison stated he endorsed the words of Mrs Bantley and asked everyone to read his letter of objection dated 10 August 2022. Mr Harrison stated that he had lived in his property for 42 years and the driveway to his property was directly onto the A12, only a few metres away from the proposed entrance. This part of the A12 was busy, with a 40 mph speed limit, which many drivers ignored and as such, great care was

needed when entering and exiting his property. Those visitors arriving at the caravan site would not be aware of this and Mr Harrison felt that it would be an accident waiting to happen, together with the cycle path and footpath along the road.

Mr Harrison reported that he had been refused planning permission for his property for many years, even before Gateway Retail Park had opened, and this had been due to the access of his property onto the A12. Other planning applications around the caravan site, such as in Arbour Lane, had been refused due to the associated noise and in adherence to the Local Plan, and yet this massive application was recommended for approval.

Last summer, the Club House at the caravan site held an outdoor wrestling match and this could be heard as far away as the A12 and there had been a general increase in noise nuisance from the caravan site over time, with no concern for local residents.

The land proposed to be developed was agricultural land which had been left to go wild and it was a beautiful area which could be used as a park or learning centre, for generations to come. Mr Harrison stated it would be such a shame to lose this valuable asset. Instead, caravans could be placed to the West of the A12, as he felt that the coastline should be protected.

Mr Harrison stated that his home now had caravans on 3 sides and the caravan site had not complied with various planning conditions and they had not been enforced. This proposed development would see Mr Harrison's home overlooked by caravans on all 4 sides. He stated that the proposals were an overdevelopment and local residents would lose their privacy and experience an increase in noise, lighting and traffic. East Suffolk Council's aim was 'To deliver the best possible quality of life to everyone who lives, works and visits East Suffolk.' Mr Harrison urged Members to vote against the application and he expressed his disappointment that the Member Site Visit did not take the opportunity to go and see his home and how it would be affected by this proposed development.

Mr Jones and Mr Purdom, Applicant

The planning application was deferred from the August meeting, to allow for a Member Site Visit to take place and Mr Jones took the opportunity to thank Members and Officers for undertaking the site visit, as requested.

A number of amendments to the application had been made in response to the feedback received and this included a 2 metre close boarded fence and more evergreen planting along the northern boundary. Further clarification had also been provided regarding the access onto the A12, as well as the location for the central facilities building. Although there had been a number of objections from the residents of Jubilee Road, the application was equally supported by other residents, who acknowledged the benefits that the application brought to the area.

The rapid coastal erosion to the cliffs, had already resulted in the loss of 23 caravans in recent years and the situation was not improving. It was anticipated that the rate of loss would continue and that another 25-30 caravans would be lost over the coming 3 years. The proposed application would also secure the future of the caravan site,

which employed 35 people in season, the majority of which lived locally. When operating, it was anticipated that an additional 18 staff would be employed and that it would contribute £1.5 million into the local economy each year.

A new entrance to the site from the A12 was proposed. The current entrance via the north of the site had been a point of conflict with local residents for many years. The new development would comprise of 86 additional caravans, which would largely replace those caravans already lost to coastal erosion. The application also included a new state of the art facilities building, comprising an indoor swimming pool, bar and restaurant. The application would see a significant investment into the holiday park, of around £10 million. It was noted that the application had been made with the support of the Coastal Protection Steering Group, Highways and the local planning authority and Members were asked to approve the application.

Members raised questions relating to:

- The Club House and sound
- Fencing and planting
- The Ditch
- Utilities provision
- Fire procedures
- Wildlife
- Coastal erosion
- Behaviour

In respect of the Club House, it was unclear exactly how old the building was, however it was thought to be approximately 30 - 40 years old. It was noted that some asbestos had been found in the building and had been made good. Customers using the site would expect modern facilities and the Club House would be likely to last only another 5 - 10 years.

Fencing would be installed on the northern boundary, however, an acoustic fence would need to be 3 - 4 metres high on an embankment, therefore such a fence would not be suitable for this site. The applicant would need to liaise with the local authority to come to an agreement about the type of fencing to be installed. Should the width of the fencing be too great, it could impact upon the number of caravans to be installed on the site and affect the viability of the application. Reassurance was provided that the detailed Noise Assessment had been completed by experts, and the noise from the Club House in Jubilee Road was deemed to be appropriate in accordance with the current methodology and guidance.

The applicant provided confirmation that there was a detailed hydrological condition attached to the application to ensure that drainage was dealt with appropriately across the site. Therefore, as part of that condition, the holiday park would undertake the maintenance of the ditch on an ongoing basis.

In relation to utilities and the source of electricity in that area, it was reported that the applicant had liaised with the national grid and there was sufficient electricity for the caravans already on the site. However, for the additional caravans, the holiday park would need to tap into an additional sub station. It was noted that Electric Vehicles

were becoming more popular and whilst some supercharging points would be installed around the park, it was not possible to provide one for every caravan on the site, as the national grid would not be able to cope. However, a three pin plug could be used to charge a hybrid vehicle outside any caravan or lodge on site.

In respect of the drainage of foul water, the applicant had liaised with Anglian Water and it was confirmed that there was a connection to the main sewer and capacity in the system for the additional foul water from the site. This would lead the holiday park to have to pay an increased return to sewer rate to Anglian Water to cover the additional amount going into the main sewer, which would help to pay for any upgrades required to the sewer system. There was no requirement for a private treatment plant for the site. It was noted that the holiday park currently had permission for 391 caravans on site and it was currently significantly below that number.

The applicant confirmed that the old access into the site would be retained, in case of fire or emergency, and the access would be monitored. The heavy traffic would use the access via the A12, which would improve the situation for those residents living along the old access. Reassurance was provided that the Fire Service would be a consultee for the site licence, which would be required if the application was approved.

It was noted that a badger sett was in close proximity to the main site and concerns had been raised about disturbing the site during the construction phase of the development. It was reported that an ecologist had been liaising with Natural England in this respect, and no works would be undertaken until the relevant licences had been received to trans-locate or make sure the badgers or any other protected species in the area were safely dealt with. The applicant had many years of experience in dealing with these sorts of issues. It was reported that the aim had always been to locate the club house in the corner, away from Jubilee Road, however, the ecological report would not support the club house being in that location.

Coastal erosion was a significant issue and the applicant stated that they would not invest £10 million in the site, if it was to be lost within 60 years due to coastal erosion. The applicant had been working with the Coastal Protection Team and it was noted that a body of sand called the Brace, was building slowly from the South towards the North, would take 8 - 10 years to be complete and it would provide some protection for the area. The applicant would want to protect their asset for future years and would consider using further rock protection at the base of the cliffs if appropriate.

The proposed planting on the site had changed significantly for this application and it could be good mitigation for noise. It was noted that planting was currently a condition for this application, however, failure rates when planting mature trees was usually around 80%. The applicant was working with landscape architects to ensure the planting scheme would have trees which were as mature as possible, within the planting mix of evergreen and deciduous trees, and that the trees would grow as quickly and densely as possible to provide screening. Most importantly, the applicant would make sure that the planting scheme was appropriate for the site and that the trees would grow to maturity in 5 years and that any failures would be replaced.

In relation to sound, concerns had been raised that the people living in Jubilee Road should only hear the same volume of noise that they currently heard and that they should not be disturbed by live music at the club house. The applicant stated that expert noise consultants had been employed to undertake various assessments regarding this application. The holiday park owners were responsible and were looking to invest and improve the site significantly over time. The latest acoustic detailing would be used and the most up to date materials would be used during the construction of the club house. Reassurance was provided that the noise levels would be monitored and should complaints be received, the Environmental Protection team would investigate and enforcement would be possible. It was hoped that the holiday park would have a good relationship with local residents going forwards.

In response to a query, the Principal Planner advised that the acoustic report was a detailed assessment, which had then been reviewed by the Environmental Health Officer, who did raise some issues which would then need to be addressed by the applicant. Recorded amplified music would have a sound level of 85 decibels, when 1 metre from the amplifier, and there would be conditions in place for the times that this activity could take place, with no amplified music after 10.30pm in the Club House. It was anticipated that the noise of the recorded live music would increase the background decibels in the gardens of Jubilee Road by 3 decibels, with those nearest the development being most affected. This would mean that the gardens of Jubilee Road would have a decibel level overall of 39 decibels, which was 3 decibels higher than the daytime measured background sound level. Therefore, amplified music would be able to be heard slightly but it would be for limited periods. Also, the nature and design of the building, its position on site and the way the site was laid out, would mitigate the levels further. The Planning Development Manager confirmed that the Club House would be a licensed premises and should any of the terms of the license be breached, the local authority would be able to act swiftly. Further clarification was provided that there was a restriction in place regarding the hours of amplified music, however, there were no restrictions on any days of the week that the amplified music could be played. It was noted that the Environmental Protection Officers had not sought any additional conditions in this respect. Reassurances were provided by the applicant that the park would be pragmatic and would work with local residents, however, it was noted that the park already had a Club House on site with the associated permissions in place.

Attention was drawn to an outdoor wrestling match, which had caused disturbance for local residents, and the applicant stated that he had not been made aware of this event. The applicant stated that he would look into this and noted that no letters of complaint had been received about this incident. The company was responsible, wished to work with local residents and complaints would be dealt with appropriately. It was noted that the behaviour of guests would be 'policed' and the site licence must be followed. Every caravan owner had a pitch licence and if there was bad behaviour or the park's guidance was not followed, the pitch licence and caravan could be removed, which gave the park a lot of power to ensure good behaviour on site.

The Chair invited Members to debate.

Councillor Ashdown stated that there had been an extensive site visit and detailed

report, with many questions answered and he would be happy to propose approval of the application.

Councillor Pitchers stated that he was originally concerned about the application, however, the applicant had addressed the concerns and the access from the A12 was improved, although he was still concerned about the 40 mph speed limit. He confirmed he would second the proposal.

Councillor Ewart stated she was still concerned regarding the levels of noise, the hours and days that amplified music could be played and she suggested that an additional condition be added that the applicant would support the coastal erosion plan in future. The Planning Development Manager provided some further advice in respect of the concerns regarding noise and stated that the correct consultees would be consulted with to inform decision making. The Environmental Protection Team were very professional and highly skilled and would give their opinion on any harmful impacts of any development and they were satisfied with the proposal being considered today. The commitment of the applicant to the coastal protection work was very positive, with close working between the applicant and the Coastal Protection Team, however, the coastal protection work was outside of the application site and was not able to be enforced.

The Chair commented that the applicant had stated their intention to work closely with local residents and she encouraged this approach for the future. She asked that should residents have any concerns, that they speak to the holiday park at an early stage.

Councillor Wakeling stated that he agreed with Councillors Ashdown and Pitchers, as the holiday park had tried to provide reassurance. He commented that all fences have a positive and negative side and he felt that the residents ought to benefit from the positive side on this occasion and he supported the application.

The Chair invited Councillor Byatt, Ward Councillor for Kirkley and Pakefield, to speak at this point in the proceedings.

Councillor Byatt, Ward Councillor

Councillor Byatt stated that his concern had always been for the 16 residents whose homes on Jubilee Road were next to the holiday park site. He still had some concerns, particularly regarding the 4 metre line, which seemed very close, and he asked if consideration could be given to moving the line back as far as possible? He took the opportunity to thank the officers and the developers for responding to the concerns that had been raised. He noted that some of the sound would be absorbed by the caravans when they were on site but he felt that moving the fence ought to be considered.

Councillor Ashton apologised for not being able to attend the site visit earlier, he advised he had visited the site in his own time and he had listened to all the points raised today. He could see both sides of the application, for and against, and upon consideration, he reported that he was reluctantly in favour.

Upon being put to the vote it was

RESOLVED

That the application be APPROVED, subject to the following conditions.

Conditions

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with:

- Site Location Plan, received 23/06/2022
- General Arrangement Plan, 201.129.ENZ.00.XX.DR.L.00.101PL05, received 15/02/2023
- Proposed Clubhouse Floor Plan, 290-06-B, received 23/06/2022
- Proposed Clubhouse Elevations, 290-07-B, received 23/06/2022
- Proposed Clubhouse Roof Plan, 290-09-A, received 23/06/2022
- Perspective view from north-east, received 23/06/2022
- Perspective view from south-west, received 23/06/2022
- Illustrative Masterplan, SHF.201.129.ENZ-XX-XX-DR-L-00-001PL01, received 23/06/2022
- Landscape and Visual Assessment, SHF.201.129.LA.R.00.001, received 23/06/2022
- Soft Landscape Plan Page 1 of 4, 201-129-ENZ-XX-00-DR-L-45-101 PL04, received 15/02/2023
- Soft Landscape Plan Page 2 of 4, 201-129-ENZ-XX-00-DR-L-45-002, received 23/06/2022
- Soft Landscape Plan Page 3 of 4, 201-129-ENZ-XX-00-DR-L-45-003, received 23/06/2022
- Soft Landscape Plan Page 4 of 4, 201-129-ENZ-XX-00-DR-L-45-004, received 23/06/2022
- Soft Landscape Schedule, received 15/02/2023
- Entire Site Plan, 201-129-ENZ-XX-01-DR-L-00-002, received 23/06/2022
- Landscape Management and Maintenance Plan, SHF.201.129.ENZ.LA.R.001, Prepared by Enzygo Ltd, received 23/06/2022
- Flood Risk Assessment (FRA), SHF.201.137.HY.R.001.A, Prepared by Enzygo Ltd dated February 2022, received 23/06/2022
- (FRA) Consultation response, SHF.201.137.HY.R.002.A, Prepared by Enzygo Ltd dated February 2023, received 06/02/2023
- (FRA) Consultation response, SHF.201.129.HY.L.004.A, Prepared by Enzygo Ltd dated February 2023, received 31/03/2023
- Phase I Geo-Environmental Report, SHF.201.129.GE.R.001.A, Prepared by Enzygo Ltd dated June 2022, received 04/11/2022
- Coastal Erosion Vulnerability Assessment (CEVA), SHF.201.129.HY.R.003.A, Prepared by Enzygo Ltd dated June 2022, received 23/06/2022
- Preliminary Ecological Appraisal & Protected Species Surveys, CE21037,

Prepared by Co-Ecology dated May 2022, received 23/06/2022

- Bat Surveys and Assessment, CE21037, Prepared by Co-Ecology dated September 2021, received 23/06/2022

- Tree Survey & Arboricultural Constraints Report and Tree Constraints Plan, Prepared by Corsican Associates dated 2 March 2022, received 23/06/2022

- Transport Statement, SF5046PD, Prepared by Sustainable Development and Delivery dated June 2022, received 23/06/2022

- Proposed Sitewide Plan, 290-10-P2, received 23/06/2022

- Design and Access Statement (relating to Central Facilities Building) dated June 2022 Prepared by Laurie Wood Associates, received 23/06/2022

- Geophysical Survey Report, MSST1268, dated 7 June 2022 Prepared by Magnitude Surveys, received 23/06/2022

- Sustainability Statement, LA.AL.NR33, prepared by engergist, received 29/07/2022

- Arboricultural Impact Assessment & Method Statement, CA21/021, Prepared by Corsican Associates dated 19 June 2022, received 29/07/2022

- Tree Protection Plan, 21/021-03, received 29/07/2022

- Noise Impact Assessment, SHF.201.129.NO.R.001, Prepared by Enzygo Ltd, received 04/11/2022

- Additional Acoustic Information, via email, received 09/01/2023

- Kitchen Odour Risk Assessment, SHF.201.129.AQ.R.001, Prepared by Enzygo Ltd, received 10/11/2022

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal & Protected Species Surveys (Co-ecology, May 2022) and the Bat Survey Assessment report (Co-ecology, September 2021) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

5. The development shall not in any circumstances commence unless the local planning authority has been provided, in relation to great crested newts, with either:
a) a licence issued by Natural England pursuant to The Conservation of Habitats and Species Regulations (2017) (as amended) authorising the specified development to go ahead or demonstration that the appropriate Natural England Class Licence is in place to allow works to commence; or

b) a statement in writing from the relevant licensing body, or a suitably qualified and licenced ecologist, to the effect that it is not considered that the specified development will require a licence.

Reason: To ensure that the legislation relating to protected species (great crested newts) has been adequately addressed as part of the implementation of the development.

6. No removal of hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

7. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) for great crested newts, reptiles, badgers, bats and nesting birds has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that ecological receptors are adequately protected as part of the development.

8. Prior to works above slab level a "lighting design strategy for biodiversity" for the areas highlighted within the PEA (Co-ecology, May 2022) shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around

their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

9. Prior to construction of the club house, hereby approved, an assessment of odours arising from the proposed kitchen details proposals and specifications for the intended odour abatement measures, shall be submitted to, and approved in writing by, the LPA. The assessment should accord with the 'Control of Odour and Noise from Commercial Kitchen Exhaust Systems. An update to the 2004 report prepared by NETCEN for the Department for Environment, Food and Rural Affairs.' If odour control measures are required these should be detailed. Thereafter the development must be completed in accordance with the approved odour assessment, and the equipment serviced and maintained in accordance with the manufacturers guidance to ensure that they remain effective.

Reason: To protect the amenity of neighbouring residents

10. The club house, hereby permitted, shall be constructed and operated in accordance with the recommendations as set out within the Noise Impact Assessment (SHF.201.129.NO.R.001, prepared by Enzygo Ltd), received 04/11/2022.

Reason: To protect the amenity of neighbouring residents

11. The clubhouse, hereby permitted, shall not be operated outside of the hours, 07:00 and 00:00 (midnight)

Reason: To protect the amenity of neighbouring residents and accord with the assumptions of the submitted Noise Assessment

12. No amplified or live music shall be played in the premises outside of the following times 07:00 and 22:30.

Reason: To protect the amenity of neighbouring residents and accord with the assumptions of the submitted Noise Assessment

13. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until the report of an intrusive investigation of

contamination has been submitted to, and approved in writing by, the local planning authority. The report should include:

- the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy;
- explanation and justification for the analytical strategy;
- a revised conceptual site model; and
- a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, BS10175:2011+A2:2017 and Land Contamination Risk Management.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019 and Land Contamination Risk Management.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

15. Prior to any occupation or use of the approved development the RMS approved under condition 14 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

16. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that the RMS approved under condition 14 has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and Land Contamination Risk Management.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. No development shall commence until details of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the local planning authority (LPA).

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal, to ensure that the proposed development can be adequately drained

19. No development shall commence until details of the implementation, maintenance and management of the strategy for the disposal of surface water on the site have been submitted to and approved in writing by the LPA. The strategy shall be implemented and thereafter managed and maintained in accordance with the approved details.

Reason: To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage.

20. Within 28 days of practical completion of the last dwelling or unit, surface water drainage verification report shall be submitted to the Local Planning Authority, detailing and verifying that the surface water drainage system has been inspected and has been built and functions in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks in an agreed form, for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk with the county of Suffolk

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/flood-risk-asset-register/>

21. No development shall commence until details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the LPA. The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include:

- Temporary drainage systems
- Measures for managing pollution / water quality and protecting controlled waters and watercourses

- Measures for managing any on or offsite flood risk associated with construction

Reason: To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater

<https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-on-development-and-flood-risk/construction-surface-water-management-plan/>

22. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

23. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 22 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

24. No development shall take place until the applicant or developer has secured

the implementation of a programme of historic building and analysis work in accordance with a written scheme of investigation which has been submitted to and approved, in writing, by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2021).

25. No other part of the development hereby permitted shall be occupied until the new access has been laid out and completed in all respects in accordance with drawing no. SF5046-3PD-001 B Rev B metres measured from the nearside edge of the metalled carriageway.

Thereafter it shall be retained in its approved form.

Reason: To ensure the access is laid out and completed to an acceptable design in the interests of the safety of persons using the access and users of the highway. *This needs to be a pre-commencement condition because access for general construction traffic is not otherwise achievable safely.

26. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management
- g) necessary to undertake these works
- h) site working and delivery times
- i) a communications plan to inform local residents of the program of works
- j) provision of boundary hoarding and lighting
- k) details of proposed means of dust suppression
- l) details of measures to prevent mud from vehicles leaving the site during construction
- m) haul routes for construction traffic on the highway network and
- n) monitoring and review mechanisms.
- o) Details of deliveries times to the site during construction phase.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved

Construction Management Plan must be in place at the outset of the development.

27. Before the development is commenced details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway. *This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built. This is a pre-commencement condition because insufficient details have been submitted at planning stage.

28. The use shall not commence until the area(s) within the site shown on drawing no. 201.129.ENZ.00.XX.DR.L.00.101 PL05 for the purposes of loading, unloading, manoeuvring and parking of vehicles has / have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

29. Before the vehicular access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line 4.5 metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 120 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous].

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

30. Before the pedestrian access is first used clear visibility at a height of 0.6 metres above the carriageway level shall be provided and thereafter permanently maintained in that area between the nearside edge of the metalled carriageway and a line from 15

metres from the nearside edge of the metalled carriageway at the centre line of the access point (X dimension) and a distance of 25 metres in each direction along the edge of the metalled carriageway from the centre of the access (Y dimension) [or tangential to the nearside edge of the metalled carriageway, whichever is the more onerous].

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

31. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. SF5046-3PD-002 have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel. This is a pre-commencement condition because the required details relate to off site works that need to be agreed before the development can be said to be acceptable in terms of highway capacity/safety

32. The approved static caravans shall be used for holiday/tourism accommodation only and for no other purpose unless express planning permission is granted by the Local Planning Authority (LPA). The owners/operators of the holiday units hereby permitted shall maintain an up-to-date register of all lettings, which shall include the names and addresses of all those persons occupying the units during each individual letting. The said register shall be made available at all reasonable times to the LPA.

Reason: To ensure that the development is occupied only as bona-fide holiday accommodation, delivering benefit to the rural tourism economy, in accordance with Policy WLP8.15.

33. No more than 86 caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed on the site at any time.

The units shall only be sited on the identified for such purposes on the Site Layout (201.129.ENZ.00.XX.DR.L.00.101). For the avoidance of doubt, static caravans shall not be sited on the southern part of the application site.

Reason: To ensure that the number of caravans on site is controlled and that the open green space is retained to protect the wider character of the area

34. All hard and soft landscape works shall be carried out in accordance with the approved plans and details, as shown on 201-129-ENZ-XX-00-DR-L-45-101 PL04, 201-129-ENZ-XX-00-DR-L-45-002, 201-129-ENZ-XX-00-DR-L-45-003, 201-129-ENZ-XX-00-DR-L-45-004, and the approved Soft Landscape Schedule.

The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority; and any trees or plants which, within a period of five years from completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation; all works shall be carried out in accordance with the relevant provisions of appropriate British Standards or other recognised Codes of Good Practice.

Reason: to ensure that the appearance of the development is satisfactory

35. No development shall take place until the existing trees and hedges on site which are to be retained as detailed on approved Arboricultural Impact Assessment & Method Statement (CA21/021, dated 19 June 2022) have been protected in accordance with the measures detailed within that report. All protective measures shall be retained throughout the duration of building and engineering works in the vicinity of the tree to be protected.

Reason: For the avoidance of damage to protected trees included within the landscaping scheme in the interests of visual amenity and the character and appearance of the area.

36. Prior to the siting of any static holiday caravans on the land, a colour scheme/pallet for the external appearance of the static caravans shall be submitted to and approved in writing by the Local Planning Authority. All static holiday caravans sited on the land shall have an external appearance in accordance with the approved colour scheme/palette.

Reason: To ensure the proposal respects the character and appearance of the area.

37. Before the development is commenced details of the infrastructure to be provided for electric vehicle charging points shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: In the interests of sustainable travel provision and compliance with Local Plan Sustainable Transport Policies. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the provision of electric vehicle infrastructure if a suitable scheme cannot be retrospectively designed and built.

38. Prior to the first use of the new access onto the A12, hereby approved, precise details of means and operations to restrict access onto Arbor Lane, as set out within

the submitted document "Technical Note 1", and drawing SF5046-3PD-002, shall be submitted to and approved in writing by the Local Planning Authority. The existing access points along Arbor Lane shall then be restricted in accordance with the approved measures with 2 months of the first use of the new access onto the A12. The measure shall thereafter be retained and operated in accordance with those approved details.

Reason: To reduce impact on local road networks.

39. Prior to any demolition on the site, a repeat building inspection for bats and one emergence or dawn re-entry survey (as identified in the approved Bat Survey Assessment report (Co-ecology, September 2021)) shall be undertaken and a report detailing the results of these surveys shall be submitted to and approved in writing by the Local Planning Authority. If any mitigation or compensation measures are required as a result of these surveys, details of these shall be included within the submitted report, and works shall be undertaken in accordance with those approved details.

Reason: To ensure that ecological receptors (bats) are adequately protected and enhanced as part of the development.

40. Prior to commencement of the development hereby permitted, details of the proposed access points, including pedestrian and vehicular, into the existing site marked with blue on drawing 201-129-ENZ-XX-01-DR-L-00-002 shall be submitted to and approved in writing by the Local Planning Authority. The approved access arrangements shall be constructed prior to the first use of the expansion area hereby approved, and those approved access points along with the walking route through the proposed and existing site as shown on drawing 201-129-ENZ-XX-01-DR-L-00-002 shall thereafter be retained.

Reason: To ensure that suitable links are provided between the existing and proposed sites, and that a suitable walking route required by the HRA can be provided.

41. The proposed site, marked with a red line on drawing 201-129-ENZ-XX-01-DR-L-00-002, and the existing site, marked with a blue line on drawing 201-129-ENZ-XX-01-DR-L-00-002, shall be retained within the same ownership.

Reason: To ensure that 2.7km walking route required under the HRA can be provided long term.

7 DC/22/4995/FUL - Beetlebank Farm, Darsham Road, Bramfield, Halesworth, IP19 9AG

Clerks Note: In accordance with his earlier Declaration of Interest at Item 2, Councillor Wakeling had received a Dispensation to allow him to participate, speak and remain in the room during the consideration of this item, as the applicant, however, he would not vote on the application.

The Committee received report **ES/1648** of the Head of Planning and Coastal Management, which related to planning application DC/22/4995/FUL.

The proposed development sought permission to site a static caravan, on agricultural land, to accommodate a rural worker at Beetlebank Farm. The application was presented to the Planning Committee due to the applicant being an elected Member of the Council. The applicant became an elected member in May 2023, during the course of consideration of the application.

The Committee received a presentation from the Case Officer. The Committee viewed the proposed site and block plan, the proposed elevations and floor plans, as well as photographs of the site and a satellite photograph.

The Case Officer advised that Beetlebank Farm extended to 37 acres and comprised mixed pasture and woodland, a large agricultural barn and a small office building. The farm was accessed via a shared dirt track leading to the barn with the only adjacent neighbour being Grove Farm, which appeared to be used as holiday lets approved under previous planning applications. Grove Farm was outside of the ownership of the applicant, with no planning history of them being connected. The applicant inherited Beetlebank Farm in 2020, after decades of disuse and they subsequently started running the farm again in order to 'create a business emphasising self-sufficiency, conservation and community'.

The farm was being run using traditional conservation-based farming methods, including rotational grazing, no-dig gardening, pasture-based livestock, agroforestry and regenerative agriculture. The farm currently contained nearly 50 sheep, up to 25 pigs, 100 birds including rare breed pheasants, chickens, ducks and geese, as well as birds of prey, ferrets and 7 dairy goats. The presence of the rural worker permanently on site would help protect the animals from predators such as foxes. The application was recommended for approval.

Councillor Wakeling, The Applicant

Councillor Wakeling stated that the aim for his farm was to be as environmentally sustainable as possible and the farm would produce organic and high welfare products. The farm was just becoming economically viable and there would be a real focus upon producing food that was affordable to all. He stated that he hoped that the farm would flourish and that he would be back before the Planning Committee again, with applications for future improvements.

The Chair invited questions.

Councillor Ewart asked about how the caravan would be supplied with water and how waste water would be dealt with? Councillor Wakeling reported that he had recently invested in a bore hole at the site and was now enjoying clean, fresh water on site. In respect of the removal of waste water, he reported that he had a septic tank onsite, which would collect all of the waste, which would then be emptied and removed from the site. In the longer term, he hoped to install a biological system on site, which would be like a small domestic treatment plant to filter out the waste.

Councillor Hammond commented that this was just the sort of application that the Council should be supporting and he sent his best wishes to Councillor Wakeling for his

venture. Councillor Ashton stated that the development was small scale and temporary and he was supportive of the application.

On the proposition of Councillor Hammond, seconded by Councillor Pitchers, it was unanimously

RESOLVED

Approval of planning permission subject to the following conditions.

Conditions:

1. The applicant shall notify the Local Planning Authority of the date of first occupation of the static caravan and this must be within 6 months of the date of this consent. This permission shall expire three and a half years (42 months) from the date of this consent, by which date 'The temporary rural workers dwelling' hereby permitted shall have been removed from the site and the land reinstated to its former condition within a further 28 days, unless prior to that date planning permission is renewed.

Reason: The structures are unsuitable for permanent consent by virtue of its character/impact upon the locality

2. The development hereby permitted shall be completed in all respects strictly in accordance with 30-001, 30-002 and 30-003 received 23/12/2022, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. There shall only be one caravan (mobile home) sited on the application site, and that mobile home shall be the unit detailed on Drawing No. 30-003 received 23 December 2022.

Reason: to ensure the development is limited to only that which is required to meet the functional need for on site accommodation.

4. The static caravan shall only be occupied by Mr Geoff Wakeling and any spouse and dependents.

Reason: Because of the personal circumstances of the business case and agricultural need in the application.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

8 DC/22/4893/FUL - Shorelands, Palmers Lane, Walberswick, Southwold, IP18 6TQ

The Committee received report **ES/1649** of the Head of Planning and Coastal Management, which related to planning application DC/22/4893/FUL.

'Shorelands' was a large two storey dwelling accessed off Palmers Lane. The property had a large rear garden and a gravelled parking/turning area to the front and the application sought full planning permission for:

- Demolition of existing cartlodge with room over.
- Erection of extension to south of dwelling comprising living and bedroom accommodation for annexe accommodation.
- Erection of detached single storey garden building comprising swimming pool and leisure area also comprising air source heat pump unit.
- Erection of detached single storey store building. Installation of photovoltaic panels to roof areas.

The Committee received a presentation from the Principal Planner.

The Principal Planner shared aerial photographs, site location map, existing block plan and contemporary photographs of the application site and buildings. Members noted the existing and proposed elevations, the proposed block plan, the existing and proposed floor plans and the design of the store. It was noted that the proposed application was a good design and was acceptable for the area, therefore the recommendation was for approval.

There being no questions for the Principal Planner, the Chair invited the objector to speak.

Councillor Lewis, Walberswick Parish Council, Objector

Councillor Lewis stated that he agreed with the Planning Officer that the visual amenity was the key issue for this application. Walberswick Parish Council had objected to this application, as it was discordant with the other properties in Palmers Lane and the Conservation Area. He stated that the Conservation Area touched 3 sides of the application site, not just the southern boundary as stated in the report, and was, therefore, visible in the Conservation Area.

The property in question was already large and the application would lead to a 50% increase in the floor plan. The main issue was that the new frontage would take up the entire width of the site plot and would change from an asymmetrical design, like the rest of the properties in Palmers Lane, to a symmetrical design. Councillor Lewis noted that whilst one of the outbuildings had been moved in the plans, it was only by 500mm, which made little substantive difference. The compound was also proposed to be 5 metres tall, which would look like a separate building and it would also be very visible to the 5 surrounding properties. It was noted that the residents of all those

properties had submitted objections to the application.

Councillor Lewis also stated that the secondary entrance to the property would make it appear to be two dwellings, not one, and it was significantly different to the other properties in Palmers Lane and Walberswick, in general. The proposed application would see the property take up the entire width of the plot and he asked that the scale and detailing of the application be reconsidered.

There being no questions, the Chair invited Ms Paternoster, the Applicant's Agent to speak.

Ms Paternoster, Agent for the Applicant

Ms Paternoster stated that she would try to address some of the concerns raised by the public and the Parish Council. Shorelands was a generously sized property with approx 2,000 square metre curtilage and whilst it was not directly within the Conservation Area, it was within the wider setting and the AONB. The property was used as a C3 residential family home, with no other use, third party rental or holiday accommodation and she added that the applicant was happy with the condition restricting the use of the property to the occupying family.

The property currently had 3 bedrooms and the cart lodge also had upstairs accommodation. The application was to replace the 4th bedroom that would be lost by the removal of the cart lodge, by adding a bedroom to the ground floor and linking it to the house. The proposed accommodation was not higher than the existing cart lodge and it extended to the south by only 1.2 metres. Ms Paternoster stated that there were other examples of the symmetrical design of the property in Palmers Lane, such as The Sheeling and The Coach House. It was also noted that Shorelands was set back 11.8 metre from the highway and that a neighbouring property, who had submitted an objection, had also submitted a Planning Application for an outbuilding, closer to the highway than the Shorelands application. It was reported that the benefit of the amenity view of neighbouring properties over the Shorelands front garden was not protected by planning. Also, as the Shorelands had its neighbouring properties, there could not be a wider view of it from the Conservation Area.

In respect of the swimming pool, clarification was provided that it would be 4.25 metres wide and was intended to be a single occupancy exercise pool.

The Chair invited questions to Ms Paternoster.

Councillor Ewart sought clarification that the annexe would be attached to the main house and would be a single dwelling. Ms Paternoster confirmed that the building would be an extension to the existing dwelling, linked to the house by an internal doorway and it would be part of the family home. The accommodation in the existing cart lodge was separate to the main house and would be lost to accommodate the new extension.

Councillor Ewart stated that there was confusion by the use of the word 'annexe' in the report. Ms Paternoster stated that the applicant was happy for the additional condition to be added to clarify that the extension would not be used as an

independent annexe.

Councillor Ewart sought clarification from the Planning Officers about whether it was extreme to use the whole width of the plot for this application? The Planning Development Manager reported that there was no specific rule about building across the whole width of the plot. There had to be a balanced approach taken regarding the other properties in the area. There was a change in height levels in relation to this application and that had been judged to be acceptable by the Planning Officer.

Councillor Ewart asked if the double entrance had 'loosened' the overall appearance? The Principal Planner stated that he had considered the matter in detail and was satisfied that the different levels of the extensions, being recessive in height and gaps between the site and neighbouring development, in combination, meant that the application was acceptable.

Councillor Ashdown stated that he felt the application was straightforward, with no issues and a large curtilage. He therefore proposed that the application be approved, which was seconded by Councillor Hammond. Upon being put to the vote it was unanimously

RESOLVED

That the application be APPROVED subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in accordance with Drawing Numbers 01, 05 rev G, 06 rev I, 07 rev H and 08 rev D; received 15/12/2022 & 01/06/2023.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. The hereby approved outbuildings shall only be used for purposes incidental to the main dwellinghouse.

The annexe accommodation in the ground floor side extension shall only be used/occupied ancillary to the main dwellinghouse; it shall not be occupied as a

separate independent unit of accommodation, nor used for short-term holiday letting separate from the main dwellinghouse.

Reason: to control the use of the approved development in the interest of neighbour amenity.

5. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation
- e. Provision to be made for archive deposition of the analysis and records of the site investigation
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020).

6. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to, and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 5 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Policy SCLP11.7 of Suffolk Coastal Local Plan (2020) and the National Planning Policy Framework (2019).

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the

objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

9 DC/23/2151/FUL - South of Technical Centre, Whapload Road, Lowestoft

The Committee considered report **ES/1650** of the Head of Planning and Coastal Management, which related to planning application DC/23/2151/FUL.

The application sought full planning permission for the installation of a modular building adjacent to the south elevation of the Technical Centre Offices at the Birds Eye Factory, Whapload Road, Lowestoft.

The application had been referred to Planning Committee North, as land within the application site was within the ownership of East Suffolk Council.

The Committee received a presentation from the Principal Planner, as the case officer was unable to attend the meeting. The site location was outlined, an aerial photograph was displayed along with photographs showing views of the property. The elevations were also shown.

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

Councillor Ashdown stated that he supported the application and proposed that it be approved. Councillor Ashton seconded the proposal. It was by a unanimous vote

RESOLVED

That planning permission be APPROVED, subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with drawing no's AG-00-LA-0091-0002 Site Location Plan, AG-00-LA-0091-0001 Proposed Block / Layout Plan, received 13 June 2023, 552360-004 Proposed Floorplans and Elevations, received 30 May 2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application

and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. The development hereby permitted shall be undertaken in accordance with the submitted Flood Evacuation Procedures, Emergency Plan and Environment Agency Flood Risk Warning Service, as detailed in the submitted Flood Risk Assessment, received by the Local Planning Authority 30 May 2023 (Birds Eye Limited, dated 26 May 2023) and retained as such thereafter.

Reason: In order to mitigate the impacts from flooding and to ensure the development is safe for its lifetime.

10 DC/23/2373/RG3 - 4 Langley Gardens, Lowestoft, NR33 9JE

The Committee considered report **ES/1651** of the Head of Planning and Coastal Management, which related to planning application DC/23/2373/RG3.

The application sought permission for a single storey rear extension, which would extend from the south-west elevation with a depth of 5.95m, width of 5.4m and would have a dual pitched roof with a maximum ridge height of 4.2m. It was noted that planning permission was previously granted for a rear extension in 2020 (see ref. DC/20/0124/FUL), but this permission had lapsed in May 2023. The proposal under consideration was largely the same form of development previously approved.

The application was being presented to Planning Committee due to the applicant being East Suffolk Council.

The Committee received a presentation from the Case Officer. The Committee viewed the site plan, aerial photograph, photographs of the site and the proposed block plan. The existing and proposed elevations were shared, along with the floor plans.

The material planning considerations and key issues were summarised as:

- Design
- Impact on Light
- Privacy/Overlooking

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

Councillor Ewart asked whether East Suffolk Council, as the applicant, would be responsible for paying for the costs of the development, should it be approved. Confirmation was provided that the costs for the development would need to be paid by the tenant.

On the proposal of Councillor Pitchers, seconded by Councillor Wakeling, it was by unanimous vote

RESOLVED

That the application be APPROVED subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan, Elevations and Floor Plans (2542.19.1D); received 16/06/2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

11 DC/23/2526/FUL - 198 Waveney Drive, Lowestoft, NR33 0TR

Clerks note: Councillor Ewart left the meeting between 4.44pm and 4.46pm during the presentation on this item.

The Committee considered report **ES/1652** of the Head of Planning and Coastal Management, which related to planning application DC/23/2526/FUL.

The application sought planning permission for a single storey side extension. The site comprised of a two-storey semi-detached dwelling located in the settlement boundary of Lowestoft. The surrounding area was characterised by semi-detached dwellings set back from the road with low brick walls along the front boundaries. The proposal was for a single storey side extension. This would extend from the west elevation with a width of 2.5m and a depth of 9.6m. There would be a flat roof with a height of 3m. The application is being presented to the Planning Committee (North) as the applicant was related to a member of staff.

The Committee received a presentation from the Case Officer. The Committee viewed the site location plan, aerial photograph and a number of contemporary photographs of the dwelling. The existing and proposed elevations were shared, along with the block plan and floor plans.

The material planning considerations and key issues were summarised as:

- Design
- Impact on Light
- Privacy/Overlooking

The recommendation to approve the application, as set out in the report, was outlined to the Committee.

On the proposition of Councillor Hammond, seconded by Councillor Ashdown, it was by unanimous vote

RESOLVED

That the application be APPROVED subject to the following conditions:

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Site Location Plan, Proposed Block Plan (568-02 Rev A) and Proposed Elevations, Floor Plans (568-01 Rev D) received 28/06/2023; for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity.

The meeting concluded at 4.51 pm.

.....
Chair

Unconfirmed



Minutes of a Meeting of the **Planning Committee North** held in the Conference Room, Riverside, Lowestoft, on **Tuesday, 10 October 2023 at 2.00pm.**

Members of the Committee present:

Councillor Paul Ashdown, Councillor Paul Ashton, Councillor Julia Ewart, Councillor Andree Gee, Councillor Toby Hammond, Councillor Graham Parker, Councillor Malcolm Pitchers, Councillor Sarah Plummer, Councillor Geoff Wakeling

Officers present:

Joe Blackmore (Principal Planner (Development Management, North Area Lead)), Fabian Danielsson (Assistant Planner), Elliott Dawes (Development Programme Manager), Lorraine Fitch (Democratic Services Manager), Matthew Gee (Senior Planner), Mia Glass (Enforcement Planner), Annabelle Greenwood (Trainee Planner), Matt Makin (Democratic Services Officer (Regulatory)), Madison Mills (Housing Development Support Officer), Adam Nicholls (Principal Planner (Policy and Delivery)), Iain Robertson (Senior Planner), Rachel Smith (Principal Planner (Development Management, Central Area Lead)), Alli Stone (Democratic Services Officer (Governance)), Ben Woolnough (Planning Manager (Development Management, Major Sites and Infrastructure)), Kate Woollorton (Assistant Planner (Policy and Delivery))

1 Apologies for Absence and Substitutions

No apologies for absence were received.

2 Declarations of Interest

Councillor Paul Ashton declared Non-Registerable Interests in items 5 and 10 of the agenda as his Cabinet portfolio included responsibility for Council's assets.

Councillor Geoff Wakeling declared a Non-Registerable Interest in item 9 of the agenda as the application was located within his ward.

3 Declarations of Lobbying and Responses to Lobbying

Councillor Paul Ashton declared he had been lobbied on the planning application being considered at item 5 of the agenda, during correspondence with a third party on another matter; he had not responded.

4 East Suffolk Enforcement Action - Case Update

The Committee received report **ES/1689** of the Head of Planning and Coastal Management, which provided a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action had been sanctioned under delegated powers up until 21 September 2023. At that time there were 22 such cases.

The Chair invited the Enforcement Planner to comment on the report, who advised that a court date of 23 October 2023 had been set for cases D2 (200 Bridge Road, Lowestoft) and F3 (28 Brick Kiln Avenue, Beccles) following non-compliance with enforcement action and Section 215 notices, and that further updates would be provided to the Committee in due course.

The Chair invited questions and comments to the Enforcement Planner. The Vice-Chair referred to the Enforcement Planner's work regarding Carlton Meres Caravan Park and thanked her on behalf of Kelsale for her early intervention.

There being no further questions or comments, the Chair sought a proposer and seconder for the recommendation set out in the report. On the proposition of Councillor Pitchers, seconded by Councillor Hammond, it was by a unanimous vote

RESOLVED

That the outstanding enforcement matters up to 21 September 2023 be noted.

NOTE: during this item, there was a query regarding the presentation of the minutes of the Committee's meeting of 12 September 2023. The Democratic Services Officer (Regulatory) advised that the minutes had not been drafted in time for inclusion on the agenda and would be presented for confirmation at a future meeting of the Committee.

5 DC/21/5536/OUT - Field off Elms Lane, Wangford

The Committee received report **ES/1690** of the Head of Planning and Coastal Management, which related to planning application DC/21/5536/OUT. The application sought outline planning permission for 20 residential units on land North of Elms Lane, Wangford. Matters to be considered included access and layout, with other matters reserved for later consideration (scale, appearance and landscaping).

The application was before the Committee for determination at the request of the Head of Planning and Coastal Management as it was a major application on an allocated site within the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB), which had generated interest from the community.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location plan was outlined and an aerial photograph of the site was displayed. The Senior Planner noted that two residential properties shared a boundary with the application site.

The Senior Planner highlighted the relationship between the site's allocation as per policy WLP7.7 of the Waveney Local Plan (the Local Plan), the settlement boundary of Wangford, the proximity of the AONB, the Wangford Conservation Area and listed buildings.

The Committee was shown a map of the site outlining the proximity of facilities to the site; the Senior Planner identified that the two most recent developments in Wangford had been in the 1980s and 1990s respectively.

The Senior Planner summarised policy WLP7.1 of the Local Plan, regarding rural settlement hierarchy and housing growth, which stated that approximately 70% of new housing development in rural areas would be in larger villages. The Committee was provided with a breakdown of homes allocated to rural villages in the Local Plan area and it was noted that there would be 5.7% increase in homes in Wangford.

The Committee was apprised of the content of policy WLP7.7 of the Local Plan; the Senior Planner explained that the total proposed number of dwellings exceeded the approximate amount of 20 dwellings per hectare as set out in the policy and highlighted that this was an approximate amount; he considered that the proposed higher density would not affect the openness of the site. The Committee was shown the original layout for 24 dwellings, superseded by the current application, which officers had considered was in excess of the policy figures.

The Senior Planner displayed the revised layout for the development, which correctly aligned the proposed dwellings to the existing water main. The layout displayed the location of the six affordable housing units and the Committee was informed that a drainage scheme had been included with the application.

The Committee was shown, for noting, a proposed indicative streetscene for the development. The Senior Planner outlined the different scales displayed and that some plots would be restricted to single storey height to protect residential amenity.

The Committee was shown the proposed vehicular access layout. The Senior Planner stated that some existing hedgerow would need to be removed to create the required visibility splays for the access and that a condition was recommended to require a methodology for replacing this planting elsewhere. The Committee was apprised of how the pedestrian access to the site linked to an existing footway route into Wangford.

The tree protection plan was displayed and the Senior Planner confirmed that an arboricultural impact assessment had been submitted, which detailed plans to protect existing trees on the site.

The Committee was shown a variety of photographs of the site demonstrating views looking into and from within the site.

The material considerations and key issues were summarised as being compliance with policy WLP7.7, affordable housing, highways/access and pedestrian links, layout and design, the impact on the AONB, heritage, the potential impact on neighbour amenity, sustainable drainage, infrastructure, and the benefits and harm. The recommendation

to delegate authority to the Head of Planning and Coastal Management to approve the application was outlined to the Committee.

The Chair invited questions to the officers. Councillor Hammond sought clarity on the claims of Wangford with Henham Parish Council that the sewage network was inadequate to cope with the proposed development. Officers advised that it was the responsibility of the developer to fund any upgrades to sewerage to accommodate development and that no issues had been raised by Anglian Water on capacity issues in the area.

Councillor Ashton asked how the pedestrian access to the site would connect to the existing network. The Senior Planner explained that it was intended to connect to the existing footpath at Elms Lane and that a crossing would be required.

The Vice-Chair asked questions about possible passing places on Elms Lane and the mix of the affordable housing. The Senior Planner stated that the affordable housing would comprise of six two-bedroom dwellings; three for rent, one for shared ownership and two "first homes", with their delivery controlled by a Section 106 Agreement. In respect of Elms Lane, the Senior Planner considered that any layby or passing places would inhibit the hedgerow on the site boundary and that officers were content with the scheme as proposed.

In response to a further question from the Vice-Chair, the Planning Manager (Development Management, Major Sites and Infrastructure) explained that the site would be in Reydon Primary School's catchment area, acknowledging the school was already close to capacity and that another development in Reydon had been granted outline planning permission.

Officers recognised there was a need to expand the capacity of Reydon Primary School and the Committee was advised that monthly meetings took place with Suffolk County Council on infrastructure matters, and that Reydon Primary School had been promoted at those meetings. The Planning Manager noted that Brampton Primary School was a similar distance away from the site and was currently undersubscribed.

The Senior Planner, in reply to Councillor Pitchers, was unsure of the precise distance from Elms Lane to Norfolk Road. The Committee was informed that the Highways Authority required a 70-metre visibility splay for the site access.

Councillor Ashton queried what affordable housing would be required if only 18 dwellings were delivered on the site. The Planning Manager said that this would calculate to approximately five affordable units and was of the view that a commuted sum would be required if the calculation did not come out at a whole number.

There being no public speaking, the Chair invited the Committee to debate the application that was before it. Councillor Ashdown said he had initially been concerned about the number of units proposed but that he had been reassured by the explanation given in the Senior Planner's presentation. Councillor Ashdown said that affordable housing was needed and expressed a wish that any reserved matters application be brought to the Committee for determination to ensure that what was delivered on the site is what is needed.

Councillor Gee said she was very familiar with the area and described Elms Lane being narrow and crowded; she noted the number of dwellings per hectare set out in policy WLP7.7 and considered this a better number for the site, as it would mitigate impact on the AONB and protect green spaces. Councillor Gee was concerned about the number of dwellings proposed by the application.

Councillor Ashton stated that affordable housing was much needed and there was a lack of such units in Wangford. Councillor Ashton considered that the proposed access would improve passing on Elms Lane and although concerned about the impact of the development on traffic, considered that the situation would be manageable. Councillor Ashton concurred with Councillor Ashdown's suggestion that any reserved matters application be brought before the Committee for determination.

The Vice-Chair described the application as comfortably ambitious and complimented the mix of dwellings proposed.

There being no further debate, the Chair sought a proposer and seconder for the recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management. On the proposition of Councillor Ashdown, seconded by Councillor Hammond, it was by a majority vote

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the completion of a S106 legal agreement to secure affordable housing provision, RAMS contribution, schools transport contributions and bus stop improvements, and the following conditions:

1. a) Application for approval of any reserved matters must be made within three years of the date of this outline permission and then
- b) The development hereby permitted must be begun within either three years from the date of this outline permission or within two years from the final approval of the reserved matters, whichever is the later date.

Reason: To comply with section 92 of the Town and Country Planning Act 1990.

2. Details relating to the scale, appearance and landscaping of the site (the "reserved matters"), shall be submitted to and approved by the Local Planning Authority before any development is commenced.

Reason: To comply with Sections 91 and 92 of the 1990 Act.

3. The development hereby approved shall be begun within the time limits specified on the outline permission and is subject to any conditions imposed thereon.

Reason: In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended)

4. The development hereby permitted shall be completed in accordance with Drawing No. 21-087-200-J, received 30 August 2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

5. Concurrent with the first reserved matters application, a detailed Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority. The identified measures shall be implemented prior to occupation and thereafter be retained and maintained in their approved form.

Reason: To ensure the finished development implements the approved sustainable measures in compliance with the requirements of Policy WLP8.28 of the East Suffolk Council - Waveney Local Plan (2019).

6. An application for the approval of reserved matters shall include provision for 40% of all dwellings (including affordable dwellings) to meet the Requirements of M4(2) of Part M of the Building Regulations for accessible and adaptable dwellings. Drawings and/ or documents shall list which units/ plots meet the M4(2) (and/or M4(3) standards where applicable).

Reason: To ensure the development complies with Planning Policy WLP8.31.

7. Prior to occupation, evidence of how the required water efficiency standard of 110 litres per person per day will be achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the finished dwelling(s) comply with Policy WLP8.28 of the East Suffolk Council - Waveney Local Pan (2019), and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

8. Concurrent with the first reserved matters application(s) a surface water drainage scheme shall be submitted to, and approved in writing by, the local planning authority (LPA).

The scheme shall be in accordance with the approved FRA and include:

- a. Dimensioned plans and drawings of the surface water drainage scheme;
- b. Further infiltration testing on the site in accordance with BRE 365 and the use of infiltration as the means of drainage if the infiltration rates and groundwater levels show it to be possible;
- c. If the use of infiltration is not possible then modelling shall be submitted to demonstrate that the surface water runoff will be restricted to Q_{bar} or 2l/s/ha for all events up to the critical 1 in 100 year rainfall events including climate change as specified in the FRA;
- d. Modelling of the surface water drainage scheme to show that the attenuation/infiltration features will contain the 1 in 100 year rainfall event including climate change;

- e. Modelling of the surface water conveyance network in the 1 in 30 year rainfall event to show no above ground flooding, and modelling of the volumes of any above ground flooding from the pipe network in a 1 in 100 year rainfall event including climate change, along with topographic plans showing where the water will flow and be stored to ensure no flooding of buildings or offsite flows;
- f. Topographical plans depicting all exceedance flow paths and demonstration that the flows would not flood buildings or flow offsite, and if they are to be directed to the surface water drainage system then the potential additional rates and volumes of surface water must be included within the modelling of the surface water system;
- g. Details of the maintenance and management of the surface water drainage scheme shall be submitted to and approved in writing by the local planning authority.
- h. Details of a Construction Surface Water Management Plan (CSWMP) detailing how surface water and storm water will be managed on the site during construction (including demolition and site clearance operations) is submitted to and agreed in writing by the local planning authority.

The CSWMP shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction. The approved CSWMP and shall include: Method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include: -

- i. Temporary drainage systems
- ii. Measures for managing pollution / water quality and protecting controlled waters and watercourses.
- iii. Measures for managing any on or offsite flood risk associated with construction.

The scheme shall be fully implemented as approved.

Reasons: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site for the lifetime of the development. To ensure the development does not cause increased flood risk, or pollution of watercourses or groundwater. To ensure clear arrangements are in place for ongoing operation and maintenance of the disposal of surface water drainage. <https://www.suffolk.gov.uk/roads-and-transport/flooding-and-drainage/guidance-ondevelopment-and-floodrisk/construction-surface-water-management-plan>

9. Within 28 days of practical completion of the last dwelling or unit, a Sustainable Drainage System (SuDS) verification report shall be submitted to the LPA, detailing that the SuDS have been inspected, have been built and function in accordance with the approved designs and drawings. The report shall include details of all SuDS components and piped networks have been submitted, in an approved form, to and approved in writing by the LPA for inclusion on the Lead Local Flood Authority's Flood Risk Asset Register.

Reason: To ensure that the surface water drainage system has been built in accordance with the approved drawings and is fit to be put into operation and to ensure that the Sustainable Drainage System has been implemented as permitted and that all flood risk assets and their owners are recorded onto the LLFA's statutory flood risk asset register as required under s21 of the Flood and Water Management Act 2010 in order to enable the proper management of flood risk within the county of

10. Development must be undertaken in accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Appraisal (Liz Lord Ecology, February 2022) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

11. Commensurate with the Reserved Matters application, a strategy detailing the measures to be implemented to mitigate for the loss of habitat suitable for skylark (*Alauda arvensis*) will be submitted to and approved in writing by the Local Planning Authority. All mitigation measures will be delivered and retained in accordance with the approved strategy.

Reason: To ensure that habitat loss for ground nesting birds (skylark) is mitigated as part of the development

12. No removal of vegetation shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

13. Commensurate with the reserved matters application, a "lighting design strategy for biodiversity" for the development, shall be submitted to and approved in writing by the local planning authority.

The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for biodiversity likely to be impacted by lighting and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that impacts on ecological receptors from external lighting are prevented.

14. No development shall take place (including any demolition, ground works, site clearance) until a method statement for badgers has been submitted to and approved in writing by the local planning authority. The content of the method statement shall be based on up to date badger survey information (in accordance with that described in the Preliminary Ecological Appraisal (PEA) (Liz Lord Ecology, February 2022)) and shall include the:

- a) purpose and objectives for the proposed works;
- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);
- c) extent and location of proposed works shown on appropriate scale maps and plans;
- d) timetable for implementation, demonstrating that works are aligned with the proposed phasing of construction;
- e) persons responsible for implementing the works;
- f) initial aftercare and long-term maintenance (where relevant);
- g) disposal of any wastes arising from works.

The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.

Reason: To ensure that ecological receptors are adequately protected as part of the development.

15. Commensurate with the Reserved Matters Application an Ecological Enhancement Strategy, addressing how ecological enhancements will be achieved on site, will be submitted to and approved in writing by the local planning authority. Ecological enhancement measures will be delivered and retained in accordance with the approved Strategy.

Reason: To ensure that the development delivers ecological enhancements.

16. If the development hereby approved does not commence (or, having commenced, is suspended for more than 12 months) within 2 years from the date of the planning consent, the approved ecological measures secured through Conditions 15 shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

- i) establish if there have been any changes in the presence and/or abundance of habitats on site, in particular the potential badger setts identified within the Preliminary Ecological Appraisal (Liz Lord Ecology, February 2022) and
- ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure that ecological mitigation measures are appropriately delivered based on up-to-date evidence.

17. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. No further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS10175:2011+A2:2017 and the Land Contamination Risk Management (LCRM)) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

18. No development shall take place within the area indicated [the whole site] until the implementation of a programme of archaeological work has been secured, in accordance with a Written Scheme of Investigation which has been submitted to and approved in writing by the Local Planning Authority.

The scheme of investigation shall include an assessment of significance and research questions; and:

- a. The programme and methodology of site investigation and recording
- b. The programme for post investigation assessment
- c. Provision to be made for analysis of the site investigation and recording.
- d. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- e. Provision to be made for archive deposition of the analysis and records of the site investigation.
- f. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

g. The site investigation shall be completed prior to development, or in such other phased arrangement, as agreed and approved in writing by the Local Planning Authority.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2019).

19. No building shall be occupied until the site investigation and post investigation assessment has been completed, submitted to and approved in writing by the Local Planning Authority, in accordance with the programme set out in the Written Scheme of Investigation approved under Condition 18 and the provision made for analysis, publication and dissemination of results and archive deposition.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any groundworks associated with the development scheme and to ensure the proper and timely investigation, recording, reporting and presentation of archaeological assets affected by this development, in accordance with Strategic Priority 3 and WLP8.40 of the Waveney Local Plan (2019) and the National Planning Policy Framework (2019).

20. No part of the development shall be commenced until details of the proposed access have been submitted to and approved in writing by the Local Planning Authority. The approved access shall be laid out and constructed in its entirety prior to any other part of the development taking place.

Thereafter the access shall be retained in its approved form.

Reason: To ensure that the access is designed and constructed to an appropriate and acceptably safe specification and made available for use at an appropriate time. This needs to be a pre-commencement condition because access for general construction traffic and other traffic is not otherwise achievable safely.

21. Before the access is first used visibility splays shall be provided as shown on Drawing No. 21-087-200-j with an X dimension of 2.4 metres and a Y dimension of 70 metres to the nearside edge of the carriageway and thereafter retained in the specified form.

Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no obstruction to visibility shall be erected, constructed, planted or permitted to grow over 0.6 metres high within the areas of the visibility splays.

Reason: To ensure drivers of vehicles entering the highway have sufficient visibility to manoeuvre safely including giving way to approaching users of the highway without them having to take avoiding action and to ensure drivers of vehicles on the public

highway have sufficient warning of a vehicle emerging in order to take avoiding action, if necessary.

22. Before the development is commenced, details of the estate roads and footpaths, (including layout, levels, gradients, surfacing, lighting, traffic calming and means of surface water drainage), shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety to ensure that roads/footways are constructed to an acceptable standard.

23. No part of the development shall be commenced until details of the proposed off-site highway improvements indicatively shown on Drawing No. 21-087-200-j have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be laid out and constructed in its entirety prior to occupation.

Reason: To ensure that the necessary highway improvements are designed and constructed to an appropriate specification and made available for use at an appropriate time in the interests of highway safety and sustainable travel. This is a pre-commencement condition because the required details relate to off site works that need to be agreed before the development can be said to be acceptable in terms of highway capacity/safety.

24. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

25. The use shall not commence until the area(s) within the site shown on drawing no.21-087-200-j for the purposes of, manoeuvring and parking of vehicles and secure cycle storage have been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

26. Before the development is commenced, details of the areas to be provided for the presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority.

The approved bin storage and presentation/collection area shall be provided for each dwelling prior to its first occupation and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

27. Plots 1 and 15 shall be limited to single storey height.

Reason: In the Interest of the amenity of the adjacent neighbours.

28. Prior to the access being created and the visibility splays provided as required by condition 21, a detailed methodology for the relocation of the section of hedge within the visibility splays (or replanting if relocation is not feasible) shall be submitted to and agreed in writing by the Local Planning Authority. The hedge relocation/replanting shall be carried out in accordance with the approved methodology within an agreed timescale. Any plants dying within a 5-year period shall be replaced in the next available planting season to a specification to be agreed by the LPA

Reason: In the interest of the visual amenity of the area and to protect landscape character.

29. Prior to the commencement of the development all hedges or trees within the site, unless indicated as being removed within the Arboricultural Impact Assessment Rev A - by Kirsten Bowden Chartered Landscape Architect (August 2023) shall be protected by the erection of secure fencing as shown within the 'Tree Protection Plan' on Drawing Number: Appendix 003 - Rev A.

Within a five year period from completion of the development if any trees, parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the Authority's opinion, seriously damaged or otherwise defective

shall be replaced and/or shall receive remedial action as required by the Authority. Such works shall be implemented by not later than the end of the following planting season, with plants of such size and species and in such number and positions as may be agreed with the Authority. The hedge(s) shall be reinforced with further planting where necessary to the satisfaction of the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerow.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

2. o Any works to a watercourse may require consent under section 23 of the Land Drainage Act 1991,
o Any discharge to a watercourse or groundwater needs to comply with the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017,
o Any discharge of surface water to a watercourse that drains into an Internal Drainage Board district catchment is subject to payment of a surface water developer contribution,
o Any works to lay new surface water drainage pipes underneath the public highway will need a licence under section 50 of the New Roads and Street Works Act,
o Any works to a main river may require an environmental permit.

3. The submitted scheme of archaeological investigation shall be in accordance with a brief procured beforehand by the developer from Suffolk County Council Archaeological Service, Conservation Team.

SCC would be pleased to offer guidance on the archaeological work required and, in our role as advisor to East Suffolk Council, the Conservation Team of SCC Archaeological Service will, on request of the applicant, provide a specification for the archaeological work required at this site. In this case, an archaeological evaluation will be required to establish the potential of the site and decisions on the need for any further investigation (excavation before any groundworks commence and/or monitoring during groundworks) will be made on the basis of the results of the evaluation.

Further details on our advisory services and charges can be found on our website: <http://www.suffolk.gov.uk/archaeology>.

4. It is an OFFENCE to carry out works within the public highway, which includes a Public Right of Way, without the permission of the Highway Authority.

The works within the public highway will be required to be designed and constructed in accordance with the County Council's specification.

The applicant will also be required to enter into a legal agreement under the provisions of Section 278 of the Highways Act 1980 relating to the construction and subsequent adoption of the highway improvements. Amongst other things the Agreement will cover the specification of the highway works, safety audit procedures, construction and supervision and inspection of the works, bonding arrangements, indemnity of the County Council regarding noise insulation and land compensation claims, commuted sums, and changes to the existing street lighting and signing.

For further information please visit: <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence>.

6 DC/23/3058/FUL - Former Garage Site, Chapel Street, Lowestoft

The Committee received report **ES/1691** of the Head of Planning and Coastal Management, which related to planning application DC/23/3058/FUL. The application sought planning permission for the construction of six new build two-bedroom terraced and semi-detached affordable homes.

As the applicant was East Suffolk Council, the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee's attention was drawn to the Grade II listed building opposite the site. An aerial photograph of the site was also displayed. The Committee was shown several photographs demonstrating views both into the site and the surrounding area.

The proposed block plan was displayed to the Committee. The Senior Planner explained that the application met the parking standards required. The Committee was also shown the proposed elevations and advised that the design was considered to be a high quality outcome for the area.

The Senior Planner displayed a 3D computer-generated visualisation of the development, demonstrating how it would fit into the surrounding area. The Senior Planner described the frontage as attractive and having no adverse impact on the setting of the conservation area or the adjacent listed building. The Committee received the proposed floor plans.

The material considerations were summarised as the principle of development, design, heritage, amenity, highways, and ecology. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers; it was noted that officers from the Council's Housing team were present to assist planning officers. In response to Councillor Ashdown, the Development Programme Manager confirmed that the dwellings would remain part of the Council's housing stock.

The Vice-Chair highlighted the railings on the roofs and queried if they were necessary, and asked if solar panels could be accommodated on the roofs. The Senior Planner

said the latter would be welcomed as part of the passivhaus approach being taken for the development and advised that he had spoken with the applicant's agent regarding removing the railings, confirming there would be no domestic access to the roof.

The Chair asked what the current parking arrangements on the site were. The Senior Planner explained that the site was used as ad hoc parking and officers did not consider development of the site to result in a loss of formal parking for previously approved schemes.

The Chair invited Mr Pitcher and Ms Bell, the applicant's agents, to address the Committee; both confirmed that they had nothing to add and were present to answer the Committee's questions.

The Chair invited questions to Mr Pitcher and Ms Bell. Mr Pitcher confirmed to Councillor Ashdown that should planning permission be granted, it was hoped to begin construction before Christmas 2023.

The Development Programme Manager, in response to a query from the Vice-Chair, advised that the Council had undertaken a tender process for the site and that contracts had been awarded to Mr Pitcher's firm as developer and Ms Bell's firm as architect to develop the site on its behalf.

The Chair invited the Committee to debate the application that was before it. Councillor Pitchers said he liked the proposed design, considering it fitted in well with the surrounding area. Councillor Pitchers proposed that the application be approved as set out in the recommendation. Councillor Ashdown concurred with Councillor Pitchers' comments and seconded the proposal.

There being no further debate the Chair moved to a vote and it was unanimously

RESOLVED

That the application be **APPROVED** subject to the RAMS contribution being secured and the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with:

- Site Location and Block Plan, P201 Rev B, received 11/08/2023,
- Proposed Ground Floor Plan, P202, received 28/07/2023,
- Proposed First Floor Plan, P203, received 28/07/2023,
- Proposed Floor Plans, P210, received 28/07/2023,
- Proposed Roof Plan, P204, received 28/07/2023,
- Proposed Elevations, P221, received 28/07/2023,
- Proposed Elevations, P220, received 28/07/2023,

- Proposed Sections, P221, received 28/07/2023,

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. Before the development is commenced, details of the areas and infrastructure to be provided for the manoeuvring and parking of vehicles including electric vehicle charging point(s) and visitor spaces, shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To ensure the provision and long-term maintenance of adequate on-site space for the parking and manoeuvring of vehicles in accordance with the current Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading, and manoeuvring would be detrimental to highway safety. This needs to be a pre-commencement condition to avoid expensive remedial action which adversely impacts on the viability of the development if, given the limitations on areas available, a suitable scheme cannot be retrospectively designed and built.

5. The use shall not commence until the area(s) within the site shown on Drawing No. P202 for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking 2019 to promote sustainable travel.

6. The areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins as shown on Drawing No..P202 shall be provided in their entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway

7. Before the development hereby permitted is commenced a Construction Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. Construction of the development shall not be carried out other than in accordance with the approved plan.

The Construction Management Plan shall include the following matters:

- a) parking and turning for vehicles of site personnel, operatives and visitors
- b) loading and unloading of plant and materials
- c) piling techniques (if applicable)
- d) storage of plant and materials
- e) provision and use of wheel washing facilities
- f) programme of site and all associated works such as utilities including details of traffic management necessary to undertake these works
- g) site working and delivery times
- h) a communications plan to inform local residents of the program of works
- i) provision of boundary hoarding and lighting
- j) details of proposed means of dust suppression
- k) details of measures to prevent mud from vehicles leaving the site during construction
- l) haul routes for construction traffic on the highway network and
- m) monitoring and review mechanisms.
- n) Details of deliveries times to the site during construction phase.
- o) Details on noise, dust and light control measures

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Construction Management Plan must be in place at the outset of the development.

8. A validation report must be submitted to, reviewed by and confirmed in writing by the Local Planning Authority as likely to have addressed the risks identified prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that all materials imported to site are suitable for residential end use with the consumption of homegrown produce in accordance with relevant threshold values (sampling results from a UKAS accredited laboratory for the relevant analysis undertaken).
- Evidence of the depths of each/every layer of imported materials used at each residential plot.
- That works have been monitored and supervised by a competent person.
- Evidence that formation of the residential plots, including gardens, has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

The validation report must be prepared by a competent person (see National Planning Policy Framework) and conform to current guidance and best practice, including BS8485:2015+A1:2019, CIRIA C735 and Land Contamination Risk Management.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. The hours of working (Including deliveries) during the demolition phase shall be:
- Monday to Friday - 08:00 to 18:00 hours
 - Saturday - 08:00 to 13:00 hours
 - At no time on Sundays and Bank Holidays

Unless otherwise agreed in writing with the local planning authority.

10. Prior to the installation of any Air Source Heat Pumps, a noise assessment shall be submitted and approved in writing by the Local Planning Authority. The assessment shall include all proposed plant and machinery and be based on BS4142:2014+A1:2019. A noise rating level (L_{Ar},T_r) of at least 5dB below the typical background sound level (L_{A90},T) should be achieved at the nearest noise sensitive receptor. Where the noise rating level cannot be achieved, the noise mitigation measures considered should be explained and the achievable noise level should be identified and justified. The Air Source Heat Pumps shall then be installed in accordance with the details contained within the approved noise assessment, and any mitigation measures required shall be installed prior to first use of the pumps.

Reason: To protect the existing and future residents amenity

11. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons (see National Planning Policy Framework) and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the review and confirmation in writing by the Local Planning Authority that likely risks have been identified and will be investigated accordingly.

Where remediation is necessary a detailed Remediation Strategy (RS) must be prepared, and is subject to the review and confirmation in writing by the Local Planning Authority as likely to address the risks identified. The RS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The RS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters,

property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. The bathroom window on the west (side) elevation at first floor shall be glazed with opaque glass and shall be retained in that condition, unless otherwise approved in writing by the Local Planning Authority.

Reason: To preserve the amenity of adjacent property.

7 DC/23/2369/FUL - Toby Cottage, Leveretts Lane, Walberswick, IP18 6UF

The Committee received report **ES/1693** of the Head of Planning and Coastal Management, which related to planning application DC/23/2369/FUL. The application sought planning permission for a single storey link extension and a replacement western extension on the same footprint and design as the existing, other than a gable ended roof instead of hipped and new north gable windows.

As the objections from Walberswick Parish Council were contrary to the case officer's recommendation of approval the application was considered by the Planning Referral Panel at its meeting on 29 August 2023, in accordance with the scheme of delegation set out in the East Suffolk Council Constitution. At that meeting, the Panel was minded that the design consideration should be considered by Members and referred the application to the Committee for determination.

The Committee received a presentation from the Principal Planner (Development Management, Central Area Lead), who was the case officer for the application. The site's location was outlined and the Committee was shown photographs demonstrating views looking into and from within the site.

The Principal Planner displayed the proposed block plan, the existing and proposed elevations, and the existing and proposed floor plans. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers, noting the bins stored in the current car parking space and asking what arrangements would be in place for bin storage. The Principal Planner confirmed that there would still be access from the front to the back of the property and the bins could be stored at the courtyard to the rear.

The Chair invited Mr Beech, the applicant's agent, to address the Committee. Mr Beech described the application as being for renovation and extension of the property; no work had been completed on the dwelling since the 1970s and it suffered from significant structural defects. Mr Beech confirmed that the works would retain the existing fenestration and would be a restoration of the property along with the addition of an annexe, these elements being supported by all parties.

Mr Beech said the proposed extension would be of a similar height to the host dwelling and the wood cladding would be left to weather to match the existing cladding; he explained that the extension would be of a recessive nature and of low height, meaning it could only be seen from road from 10 metres away. Mr Beech said that all

requested changes during the design process had been incorporated and noted that the only objection related to the wooden cladding proposed.

The Chair invited questions to Mr Beech. The Committee was advised that the proposed wood panelling for the extension would be oak and left to weather naturally to a similar colour to the existing wood panelling on the host dwelling.

In response to a query regarding the wood effect garage door having the appearance of vertical timbers, Mr Beech reiterated the design rationale for this choice. When asked by Councillor Gee about the design objections to the application, Mr Beech explained that the applicant had worked with officers and had amended the scheme to provide a contemporary design which also linked to the design of the original buildings.

The Chair invited the Committee to debate the application that was before it. Councillor Ashdown acknowledged that the proposed extension would appear different to the host dwelling at first but was satisfied with the explanation that weathering would eventually result in a blending.

Councillor Ashdown had no issues with the proposals and did not consider the would be detrimental to the character of the host dwelling and proposed that the application be approved as recommended. Councillor Ashton concurred, noting that the difference of opinion on the design was not a material planning consideration, and seconded the proposal.

There being no further debate the Chair moved to a vote and it was unanimously

RESOLVED

That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with 700 05 Rev.E (proposed Floorplan), 700 06 Rev.D (Proposed elevations), 700 07 Rev.E (Proposed Block Plan) received 15 June 2023;, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. The development hereby permitted annexe shall not be occupied or let as a separate dwelling but shall be used only for purposes incidental to the use of the dwellinghouse to which it relates or for occupation by a relative, employee or parent of the householder or his/her spouse.

Reason: The development is not such that the local planning authority would be prepared to approve as a separate dwellinghouse in its own right.

8 DC/23/2803/FUL - Gun Hill Cottage, South Green, Southwold, IP18 6HF

The Committee received report **ES/1694** of the Head of Planning and Coastal Management, which related to planning application DC/23/2803/FUL. The application sought planning permission for the demolition of a dwelling and the erection of a replacement dwelling.

As the area of land required to gain access to the site, which formed part of the application site, was owned by East Suffolk Council the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee received an aerial photograph of the site.

A photograph of the site was also displayed and the Senior Planner advised that the existing dwelling was not noted for any significant architectural quality; the dwelling had been assessed against the criteria for a Non-Designated Heritage Asset (NDHA) and officers had concluded it did not meet the criteria. The Committee was informed that the principle of demolition and replacement was considered acceptable.

The Committee was shown drawings which demonstrated the extent of the village green and the land in the Council's ownership, along with the existing roof plan, floor plans, and elevations. The Senior Planner noted the objection from a neighbouring property regarding the impact of the replacement dwelling on three of its windows. The existing and proposed layout plans were also displayed.

The Senior Planner provided a sketch drawing of the proposed roof angles which were considered to have been designed to be sensitive to surrounding properties. The Committee also received the proposed roof plan, floors plans, elevations and parking layout. The Senior Planner confirmed that despite the loss of the existing integral garage, no off-street parking would be lost as a result of the development.

Officers were of the view that the design was of high quality and incorporated contemporary aspects. The Senior Planner displayed a 3D computer-generated visualisation of the replacement dwelling.

The material considerations were summarised as the principle of the replacement dwelling, design/heritage, neighbour amenity, and parking. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers. Councillor Gee asked if the increased height would result in a loss of light to neighbouring properties. The Senior Planner advised that this had been suggested by the objecting neighbour, however the windows in question were not principal windows and two served non-habitable rooms, so it was considered that the impact on light would not cause a loss of amenity.

In response to a question from the Chair, the Senior Planner acknowledged that the replacement dwelling would cause some loss of view. In reply to the Vice-Chair, the Senior Planner advised that the neighbouring windows affected would be level with the eaves height of the replacement dwelling.

The Chair invited Mr Price, the applicant's agent, to address the Committee. Mr Price thanked officers for their invaluable advice and assistance in bringing the proposals forward; he described the site as highly sensitive due to its location within a conservation area and the Southwold settlement boundary and considered that the principle of a replacement dwelling was supported by the Local Plan.

Mr Price said that the scheme had been amended, where possible, in response to comments raised and considered that as a result, no significant objections had been made. Mr Price noted that the existing dwelling was not a NDHA and that officers had described it as harming the conservation area; Mr Price was of the view that the proposed development provided an opportunity to enhance the area.

Mr Price highlighted that the application had the support of Southwold Town Council and officers and considered that the third party objections did not merit its refusal. Mr Price said that the application would not cause demonstrable harm and would enhance the conservation area, and urged the Committee to support it.

The Chair invited questions to Mr Price. Mr Price, in response to the Chair, advised that the closest neighbouring window that would be affected was a secondary bedroom window and highlighted that the other two windows affected serviced a bathroom and en-suite respectively and should be opaque. Mr Price acknowledged that the replacement dwelling would be a matter of feet away from these windows and that their outlook would undoubtedly change, but was of the view that there would be no significant impact to light.

In reply to the Vice-Chair, Mr Price said that the existing dwelling had been constructed in approximately the 19th century and had been modified to an extent that it did not enhance the conservation area.

Councillor Pitchers asked how soon the applicant intended to begin development, should planning permission be granted. Mr Price confirmed that the applicant was keen to start as soon as possible as it was their intention to use the replacement dwelling as their principal residence. Mr Price advised Councillor Gee that the replacement dwelling would abut the neighbouring property but would not be physically joined.

The Chair invited the Committee to debate the application that was before it. Councillor Hammond considered that the benefits of the development considerably outweighed any harm it would cause and proposed that the application be approved as recommended. This proposal was seconded by Councillor Pitchers.

The Vice-Chair was content with the design but was concerned about the impact to light on the windows of the neighbouring property, considering this to be unsatisfactory and requiring revisiting. In reply, Councillor Hammond expressed sympathy but highlighted this was not a material planning consideration.

Councillor Gee sought advice from officers on right to light; the Senior Planner explained that this issue has been addressed and that the three windows comprised of a secondary bedroom window and two windows to non-habitable rooms. The Committee was advised that when looking at loss of amenity primary windows would be considered, and that the impact on light to the affected windows was not significant.

There being no further debate the Chair moved to a vote and it was by a majority

RESOLVED

That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with the following plans:

Drawing No PL001 Rev P2 - Site Plan - Received 21 September 2023

Drawing No PL002 Rev P2 - Block Plan - Received 21 September 2023

Drawing No PL202 Rev P2 - Roof Plan Proposed - Received 21 September 2023

Drawing No PL210 Rev P3 - Front Elevation Proposed - Received 21 September 2023

Drawing No PL211 Rev P2 - Rear Elevation Proposed - Received 21 September 2023

Drawing No PL200 Rev P3 - Ground Floor Plan Proposed - Received 21 September 2023

Drawing No PL212 Rev P2 - Side Elevations Proposed - Received 21 September 2023

Drawing No PL210 Rev P1 - First Floor Plan Proposed - Received 17 July 2023

for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. Development must be undertaken in accordance with the ecological avoidance, mitigation and enhancement measures identified within the Preliminary Ecological Appraisal (Geosphere Environmental, July 2023, Version 2) Bat Scoping &

Activity Survey (Geosphere Environmental, July 2023, Version 2) and Bat Hibernation Survey (Geosphere Environmental, July 2023, Version 2) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

4. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected

5. Details in respect of the following shall be submitted to and approved in writing by the Council as Local Planning Authority before the work is begun. The work shall be carried out in accordance with such approved details and retained in this approved form thereafter:

- Window and door Joinery details in section, including any external timber shutters.
- Full materials specification.
- Design of door to front elevation.
- Eaves and verge details.

Reason: In order to ensure a high quality design, appropriate to the site and its setting.

6. Prior to occupation, evidence of how the required water efficiency standard of 110 litres per person per day will be achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the finished dwelling(s) comply with Policy WLP8.28 of the East Suffolk Council - Waveney Local Plan (2019), and to ensure Building Control Officers and Independent Building Inspectors are aware of the water efficiency standard for the dwelling(s).

7. The use shall not be occupied until the area(s) within the site shown on drawing no. PL200 Rev P3 for the purposes of manoeuvring and parking of vehicles including electrical vehicle charging and secure cycle storage/bin storage has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

8. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil or other materials from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

9. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed number/densities where appropriate; implementation programme.

Reason: To ensure the provision of amenity afforded by appropriate landscape design.

10. The landscaping scheme approved within condition 9 shall be completed within the first available planting season following commencement of the development, or such other date as may be agreed in writing with the Local Planning Authority. Any trees or plants which die during the first 5 years shall be replaced during the next planting season.

Reason: to ensure the satisfactory external appearance of the building.

11. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a site investigation has been submitted to, and approved in writing by, the local planning authority:

Following the Phase 1 desk study and site reconnaissance an intrusive investigation(s), based on the recommendations of the desk study, including: the locations and nature of sampling points (including logs with descriptions of the materials encountered) and justification for the sampling strategy; explanation and justification for the analytical strategy; a revised conceptual site model; and a revised assessment of the risks posed from contamination at the site to relevant receptors, including: human health, ground waters, surface waters, ecological systems and property (both existing and proposed).

All site investigations must be undertaken by a competent person and conform with current guidance and best practice, including BS10175:2011+A1:2013 and CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried

out safely without unacceptable risks to workers, neighbours and other offsite receptors.

12. No development (including any construction, demolition, site clearance or removal of underground tanks and relic structures) approved by this planning permission, shall take place until a detailed remediation method statement (RMS) has been submitted to, and approved in writing by, the LPA. The RMS must include, but is not limited to:

- details of all works to be undertaken including proposed methodologies, drawings and plans, materials, specifications and site management procedures;
- an explanation, including justification, for the selection of the proposed remediation methodology(ies);
- proposed remediation objectives and remediation criteria; and
- proposals for validating the remediation and, where appropriate, for future maintenance and monitoring.

The RMS must be prepared by a competent person and conform to current guidance and best practice, including CLR11.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

13. Prior to any occupation or use of the approved development the RMS approved under condition 12 must be completed in its entirety. The LPA must be given two weeks written notification prior to the commencement of the remedial works.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

14. A validation report must be submitted to and approved in writing by the LPA prior to any occupation or use of the approved development. The validation report must include, but is not limited to:

- results of sampling and monitoring carried out to demonstrate that the site remediation criteria have been met;
- evidence that the RMS approved under condition 2 has been carried out competently, effectively and in its entirety; and
- evidence that remediation has been effective and that, as a minimum, the site will not qualify as contaminated land as defined by Part 2A of the Environmental Protection Act 1990.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

15. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works. Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved in writing by the LPA.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

9 DC/23/3166/RG3 - 41 Mount Pleasant, Halesworth, IP19 8JF

The Committee received report **ES/1695** of the Head of Planning and Coastal Management, which related to planning application DC/23/3166/RG3. The application sought planning permission to change the use of 41 Mount Pleasant, Halesworth from class Sui Generis (c) linen service to C3 residential and single storey side extension.

As the application site was owned by East Suffolk Council, the application had been presented to the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Senior Planner, who was the case officer for the application. The site's location was outlined and the Committee was shown an aerial photograph of the site.

The site layout plan was displayed along with details of the utilising the existing access. The Senior Planner referred to the late objection received from the Highways Authority, detailed in the update sheet published on 9 October 2023; the Committee said that the Highways Authority had been re-consulted with an amended plan and that a response was pending. The Senior Planner explained that as a result, the recommendation was now to delegate authority to approve the application to the Head of Planning and Coastal Management subject to the removal of this objection.

The highway access and parking plan and proposed elevations were displayed. The Committee was also shown photographs demonstrating views towards and from within the site.

The Committee was advised that in policy terms, the application site was outside of an allocated employment area and town centre boundary and there was therefore no protection for the current commercial use. The Senior Planner noted that the Halesworth Neighbourhood Plan protected some smaller employment sites but this site was not classified as such.

The material considerations were summarised as the principle of the change of use, design, neighbour amenity, highway safety, and parking. The recommendation to delegate authority to approve the application to the Head of Planning and Coastal Management was outlined to the Committee.

There being no questions, the Chair invited officers from the Council's Housing team, representing the Council as applicant, to address the Committee. The officers confirmed that they had nothing to add and were present to answer the Committee's questions.

The Chair invited questions to the Housing officers. The Housing Development Support Officer advised that the open space adjacent to the property was not entirely associated to it and not all of the space would be used for the front garden.

The Chair invited the Committee to debate the application that was before it. Councillor Ashton said he was familiar with the property from its commercial use and considered the business to have been difficult to find; he stated that the change of use was appropriate and proposed that authority to approve the application to the Head of Planning and Coastal Management as recommended. The proposal was seconded by Councillor Ashdown.

There being no further debate the Chair moved to a vote and it was unanimously

RESOLVED

That **AUTHORITY TO APPROVE** the application be delegated to the Head of Planning and Coastal Management subject to the removal of the objection from Suffolk County Council Highways Authority and the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be completed in all respects strictly in accordance with Drawing Nos. 2324.103/001, 2324.103/006, 2324.103.SCCH, received 10 August 2023 and Drawing Nos. 2324.103/007 B, 2324.103/008 B; received 20 September 2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order) (with or without modification), no building or structure permitted by Classes A (extensions or alterations) or E (buildings or enclosures within the curtilage of the house) of Schedule 2 Part 1 of the Order shall be erected without the submission of a formal planning application and the granting of planning permission by the Local Planning Authority.

Reason: To secure a properly planned development.

5. Prior to the occupation of the property the screen fence to the western boundary, as shown on Drawing Nos. 2324.103.007 B and 008 B, shall be provided and thereafter retained as approved.

Reason: In order to protect the amenity of the adjoining property from overlooking from the raised stepped podium and garden area, in accordance with the requirements of Policy WLP8.29 to protect the amenity of neighbouring uses.

6. The use shall not commence until the area(s) for the storage/presentation of refuse and recycling bins as shown on Drawing No. 2324.103/007 B, has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

7. The use shall not commence until the area(s) within the site shown on Drawing No. 2324.103/007 B, for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

8. The use shall not commence until the area(s) for cycle storage and electric vehicle charging infrastructure as shown on Drawing No. 2324.103/007 B, shall be provided and thereafter shall be retained and used for no other purposes.

Reason: To ensure the provision of cycle storage and charging infrastructure for electric vehicles in accordance with Suffolk Guidance for Parking (2019).

9. In the event that contamination which has not already been identified to the Local Planning Authority (LPA) is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed in writing by the LPA no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons (see National Planning Policy Framework) and conform with prevailing guidance (including BS8485:2015+A1:2019, BS 10175:2011+A2:2017 and Land Contamination Risk Management) and a written report of the findings must be produced. The written report is subject to the review and confirmation in writing by the Local Planning Authority that likely risks have been identified and will be investigated accordingly.

Where remediation is necessary a detailed Remediation Strategy (RS) must be prepared and is subject to the review and confirmation in writing by the Local Planning Authority as likely to address the risks identified. The RS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The RS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the remediation strategy a validation report that demonstrates the effectiveness of the remediation must be submitted to, reviewed by and confirmed in writing by the LPA as likely to have addressed the risks identified.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

10 DC/23/3327/FUL - Central House, The Street, Westleton, IP17 3AA

The Committee received report **ES/1696** of the Head of Planning and Coastal Management, which related to planning application DC/23/3327/FUL. The application sought planning permission for the renovation of an existing garage, store and garden room to create a carport, store and loggia.

As the Council controlled the land of the proposed buttresses to the rear of the outbuilding, the application was before the Committee for determination in accordance with the scheme of delegation set out in the East Suffolk Council Constitution.

The Committee received a presentation from the Assistant Planner, who was the case officer for the application. The site's location was outlined and the Committee was shown photographs demonstrating views towards and from within the site. The Committee was provided with the existing and proposed floor plan and elevations.

The material considerations were summarised as the principle of development, design, and heritage. The recommendation to approve the application was outlined to the Committee.

The Chair invited questions to the officers. Councillor Gee asked if there would be any loss of the existing flint and brickwork; the Assistant Planner advised that the cladding would only be applied to the modern extension to the rear and that only interior-facing brickwork would be lost. The Committee was informed that the main consideration had been to public outlook and appearance in the conservation area and that as the interior could only be viewed over a six-foot wall, the loss was considered acceptable.

In response to a question from the Chair regarding the replacement garage door, the Assistant Planner highlighted that the existing door was of a modern design and was in poor condition and that the proposed replacement would be an improvement and was therefore considered acceptable.

There being no public speaking on the application, the Chair invited the Committee to debate the application that was before it.

Councillor Ashton said he was familiar with the site and considered the scheme acceptable, and proposed that the application be approved as recommended. The proposal was seconded by Councillor Ashdown.

There being no further debate the Chair moved to a vote and it was unanimously

RESOLVED

That the application be **APPROVED** subject to the following conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in all respects strictly in accordance with the following approved plans and documents for which permission is hereby granted:

- Drawing nos. 1050/22/06 Rev.B, 1050/22/10 Rev.B, 1050/22/09 Rev.B, 1050/22/08 Rev.B, 1050/22/07 Rev.B and LSDP 2104.01 all received on 24 August 2023.

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such, unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

The meeting concluded at 4.20pm.

.....
Chair



Planning Committee North

Title of Report:

East Suffolk Enforcement Action – Case Update

Meeting Date

14 November 2023

Report Author and Tel No

Mia Glass
01502 523081

Is the report Open or Exempt?

Open

REPORT

The attached is a summary of the status of all outstanding enforcement cases for East Suffolk Council where enforcement action has either been sanctioned under delegated powers or through the Committee up until 26 October 2023. At present there are 19 such cases.

Information on all cases has been updated at the time of preparing the report such that the last row in the table for each item shows the position at that time. Officers will provide a further verbal update should the situation have changed for any of the cases.

Members will note that where Enforcement action has been authorised the Councils Solicitor shall be instructed accordingly, but the speed of delivery of response may be affected by factors which are outside of the control of the Enforcement Service.

The cases are organised into categories based upon current status:

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing. *4 current cases*

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal. *8 current cases*

- C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period. *1 current case*
- D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action. *1 current cases*
- E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action. *0 current case*
- F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway. *4 current cases*
- G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue. *1 current case*

RECOMMENDATION

That the outstanding enforcement matters up to 26 October 2023 be noted.

A. Cases on which a formal enforcement notice has been served, and the compliance period is still ongoing.

A.1

LPA Enforcement Case Reference	ENF/21/0290/USE
Location / Address	141 Kirton Road, Trimley St Martin
North or South Area	South
Date of Report of Breach	17.06.2021
<u>Nature of Breach:</u> Change of use of cartlodge to a shop.	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 20/02/2023 – Extension of time agreed to 20/10/2023	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	20/10/2023

A.2

LPA Enforcement Case Reference	ENF/22/0133/USE
Location / Address	Patience Acre, Chenerys Loke, Weston
North or South Area	North
Date of Report of Breach	22.04.2022

<u>Nature of Breach:</u> Residential occupation of holiday let	
<u>Summary timeline of actions on case</u> 28/03/2023 –Breach of Condition Notice served. Comes into effect on the 27/04/2023. There is an ongoing appeal against refusal of planning application, DC/22/3482/FUL, therefore extended compliance given. 05/07/2023 - appeal against refusal of planning application refused.	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	27/04/2024

A.3

LPA Enforcement Case Reference	ENF/21/0460/DEV
Location / Address	21 Mill View Close, Woodbridge
North or South Area	South
Date of Report of Breach	13.10.2021
<u>Nature of Breach:</u> Erection of large fence	
<u>Summary timeline of actions on case</u> 06/07/2023 –Enforcement Notices served. Comes into effect on the 06/08/2023	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	06/11/2023

A.4

LPA Enforcement Case Reference	ENF/2018/0476/USE
Location / Address	Part Os 1028 Highgate Lane Dallinghoo
North or South Area	South
Date of Report of Breach	15.11.2018
<u>Nature of Breach:</u> Siting of a converted vehicle for residential use	
<u>Summary timeline of actions on case</u> 11/09/2023 –Enforcement Notice served. Comes into effect on the 11/10/2023	
<u>Current Status/Position</u> In compliance period.	
Date by which Compliance expected (or prosecution date)	11.04.2024

B. Cases on which a formal enforcement notice has been served and is now the subject of an appeal

B.1

LPA Enforcement Case Reference	ENF/2019/0307/COND
Location / Address	The Southwold Flower Company, Land at Wangford Rd/Reydon Lane, Reydon
North or South Area	North
Date of Report of Breach	16.07.2019
Nature of Breach: Breach of conditions, 2, 4 and 8 of Planning Permission DC/18/0335/FUL	
Summary timeline of actions on case	
<p>21/10/2021 – Enforcement Notice served. Date effective 25/11/2021. 3/5 months for compliance, requiring the building to be converted to be in full compliance with the permission within 5 months. To cease all retail sales from the site and to submit a scheme of landscaping within 3 months.</p> <p>07/12/2021 - Appeal started. Written Representations Process. PINS Reference APP/X3540/C/21/3287645</p> <p>21/01/2022 - Statements submitted to Planning Inspectorate by 21/01/2022.</p> <p>01/02/2022 - final comments date for comments on Appeal</p> <p>28/06/2023 – Site visit for appeal 3rd August 2023</p> <p>16/10/2023- Appeal allowed, granted application with conditions.</p>	
Current Status/Position	
Case closed	
Date by which Compliance expected (or prosecution date)	n/a

B.2

LPA Enforcement Case Reference	ENF/20/0131/LISTL
Location / Address	6 Upper Olland Street, Bungay
North or South Area	North
Date of Report of Breach	15.04.2020
Nature of Breach: Unauthorised works to a Listed Building (Installation of roller shutter and advertisements)	
Summary timeline of actions on case	
<p>17/03/2022 - Listed Building Enforcement Notice served and takes effect on 18/04/2022. 3 months for compliance.</p> <p>19/04/2022 - Appeal start date. Written Representations Procedure PINS Reference APP/X3540/F/22/3297116</p> <p>07/06/2022 – Statement submitted</p> <p>28/06/2022 – final comments due.</p>	

<u>Current Status/Position</u> Awaiting Planning Inspectorate Appeal Decision	
Date by which Compliance expected (or prosecution date)	Dependant upon date and outcome of Appeal Decision

B.3

LPA Enforcement Case Reference	ENF/21/0121/USE
Location / Address	The Pastures, The Street, North Cove
North or South Area	North
Date of Report of Breach	17.03.2021
<u>Nature of Breach:</u> Material change of use of Land to a storage use, including the stationing of static and touring caravans for residential use and the storage of vehicles, lorry backs, and other items.	
<u>Summary timeline of actions on case</u> 03/11/2022 – Enforcement Notice served. Comes into effect on the 05/12/2022. 4 months for compliance 14/11/2022 - Pre-start letter from Planning Inspectorate 14/12/2022 - Appeal started. Written Representations Process, statement due by 6 th February 2023. PINS Reference APP/X3540/C/22/3312353	
<u>Current Status/Position</u> Awaiting Planning Inspectorate Decision.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.4

LPA Enforcement Case Reference	ENF/21/0201/DEV
Location / Address	39 Foxglove End, Leiston
North or South Area	North
Date of Report of Breach	26.04.2021
<u>Nature of Breach:</u> Artificial hedge, support structure and fencing which is over 2m in height	
<u>Summary timeline of actions on case</u> 28/11/2022 – Enforcement Notice served. Comes into effect on the 06/01/2023. 2 months for compliance 09/01/2023 - Pre-start letter from Planning Inspectorate	
<u>Current Status/Position</u> Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.5

LPA Enforcement Case Reference	ENF/22/0158/DEV
Location / Address	11 Wharton Street, Bungay
North or South Area	North
Date of Report of Breach	20.05.2022
Nature of Breach: Without Listed Building Consent the unauthorised installation of an exterior glazed door located in front of the front door.	
Summary timeline of actions on case 28/11/2022 – Listed Building Enforcement Notice served. Comes into effect on the 06/01/2023. 3 months for compliance 09/01/2023 – Pre-start letter from Planning Inspectorate 31/01/2023 –Start letter received from Planning Inspectorate, statements required by 14 th March 2023.	
Current Status/Position Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.6

LPA Enforcement Case Reference	ENF/23/0073/DEV
Location / Address	15 Worell Drive, Worlingham
North or South Area	North
Date of Report of Breach	06.03.2013
Nature of Breach: Erection of a fence over 1m adjacent to a highway	
Summary timeline of actions on case 06/07/2023 –Enforcement Notices served. Comes into effect on the 06/08/2023 01/08/2023 - Appeal submitted, awaiting start date. 09/10/2023 - Notice withdrawn, after further consideration of the recent appeal decision at 26 Highland Drive, Worlingham, granting permission.	
Current Status/Position Case closed	
Date by which Compliance expected (or prosecution date)	n/a

B.7

LPA Enforcement Case Reference	ENF/21/0006/DEV
Location / Address	Land at Garage Block North Of 2, Chepstow Road, Felixstowe, Suffolk
North or South Area	South

Date of Report of Breach	06.01.2021
Nature of Breach: Erection of large fence	
Summary timeline of actions on case 08/08/2023 –Enforcement Notice served. Comes into effect on the 08/09/2023 18/10/2023 - Appeal submitted, statements due 29 th November 2023.	
Current Status/Position Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

B.8

LPA Enforcement Case Reference	ENF/22/0247/USE
Location / Address	Part Land East Of Mariawood, Hulver Street, Henstead
North or South Area	North
Date of Report of Breach	15.11.2018
Nature of Breach: Siting of mobile home	
Summary timeline of actions on case 21/09/2023 –Enforcement Notice served. Comes into effect on the 21/10/2023 23/10/2023 - Appeal submitted, awaiting start letter.	
Current Status/Position Awaiting start date from Planning Inspectorate.	
Date by which Compliance expected (or prosecution date)	Dependent upon date and outcome of Appeal Decision

C. Cases on which a formal enforcement notice has been served, upheld on appeal, and is now within a compliance period

C.1

LPA Enforcement Case Reference	ENF/21/0411/COND
Location / Address	Paddock 2, The Street, Lound
North or South Area	North
Date of Report of Breach	17.09.2021
<u>Nature of Breach:</u> Change of use of land for residential use and stationing of mobile home	
<u>Summary timeline of actions on case</u> 16/06/2022 – Enforcement Notice served. Took effect on 18/07/2022. 4 months for compliance 26/08/2022 – Appeal Start Date. Written Representations Procedure PINS Reference APP/X3540/C/22/3303066 07/10/2022 – Appeal statement submitted. 28/10/2022 – any final comments on appeal due. 11/09/2023 - Appeal dismissed. 4 months for compliance.	
<u>Current Status/Position</u> In compliance period following appeal.	
Date by which Compliance expected (or prosecution date)	12/01/2024

D. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and is currently the subject of court action.

D.1

LPA Enforcement Case Reference	ENF/20/0404/USE
Location / Address	200 Bridge Road, Lowestoft
North or South Area	North
Date of Report of Breach	24.09.2020
<u>Nature of Breach:</u> Change of use of land for the storage of building materials	
<u>Summary timeline of actions on case</u> 19/01/2023 –Enforcement Notice served. Comes into effect on the 20/02/2023 26/06/2023 –Site visited, notice not complied with, case will be passed to the legal team for further action. 23/10/2023 - Court found defendant guilty and fined a total of £4400.	
<u>Current Status/Position</u> With Legal Team.	
Date by which Compliance expected (or prosecution date)	Depending on legal process.

E. Cases on which a formal enforcement notice has been served, upheld on appeal/no appeal submitted and now in the period for compliance following court action

F. Cases on which a formal enforcement notice has been served, upheld on appeal, and the period for compliance following court action has now expired, so further legal proceedings are being considered and/or are underway.

F.1

LPA Enforcement Case Reference	EN08/0264 & ENF/2013/0191
Location / Address	Pine Lodge Caravan Park, Hazels Lane, Hinton
North or South Area	North
Date of Report of Breach	20.10.2008
Nature of Breach:	
Erection of a building and new vehicular access; Change of use of the land to a touring caravan site (Exemption Certificate revoked) and use of land for the site of a mobile home for gypsy/traveller use. Various unauthorised utility buildings for use on caravan site.	
<p>15/10/2010 – Enforcement Notice served 08/02/2010 - Appeal received 10/11/2010 - Appeal dismissed 25/06/2013 - Three Planning applications received 06/11/2013 – The three applications refused at Planning Committee. 13/12/2013 - Appeal Lodged 21/03/2014 – Enforcement Notices served and became effective on 24/04/2014 04/07/2014 - Appeal Start date - Appeal to be dealt with by Hearing 31/01/2015 – New planning appeal received for refusal of Application DC/13/3708 03/02/2015 – Appeal Decision – Two notices quashed for the avoidance of doubt, two notices upheld. Compliance time on notice relating to mobile home has been extended from 12 months to 18 months. 10/11/2015 – Informal hearing held 01/03/2016 – Planning Appeal dismissed 04/08/2016 – Site re-visited three of four Notices have not been complied with. 21/04/2017 - Trial date. Two charges relating to the mobile home, steps and hardstanding, the owner pleaded guilty to these to charges and was fined £1000 for failing to comply with the Enforcement Notice plus £600 in costs. The Council has requested that the mobile home along with steps, hardstanding and access be removed by 16/06/2017. 19/06/2017 – Site re-visited, no compliance with the Enforcement Notice. 14/11/2017 – Full Injunction granted for the removal of the mobile home and steps. 21/11/2017 – Mobile home and steps removed from site. Review site regarding day block and access after decision notice released for enforcement notice served in connection with unauthorised occupancy /use of barn. 27/06/2018 – Compliance visit conducted to check on whether the 2010. 06/07/2018 – Legal advice sought. 10/09/2018 – Site revisited to check for compliance with Notices. 11/09/2018 – Case referred back to Legal Department for further action to be considered.</p>	

<p>11/10/2018 – Court hearing at the High Court in relation to the steps remain on the 2014 Enforcement Notice/ Injunction granted. Two months for compliance (11/12/2018).</p> <p>01/11/2018 – Court Hearing at the High Court in relation to the 2010 Enforcement Notice. Injunctive remedy sought. Verbal update to be given. Injunction granted. Three months given for compliance with Enforcement Notices served in 2010.</p> <p>13/12/2018 – Site visit undertaken in regards to Injunction served for 2014 Notice. No compliance. Passed back to Legal for further action.</p> <p>04/02/2019 – Site visit undertaken to check on compliance with Injunction served on 01/11/2018</p> <p>26/02/2019 – case passed to Legal for further action to be considered. Update to be given at Planning Committee</p> <p>27/03/2019 - High Court hearing, the case was adjourned until the 03/04/2019</p> <p>03/04/2019 - Officers attended the High Court, a warrant was issued due to non-attendance and failure to provide medical evidence explaining the non-attendance as was required in the Order of 27/03/2019.</p> <p>11/04/2019 – Officers returned to the High Court, the case was adjourned until 7 May 2019.</p> <p>07/05/2019 – Officers returned to the High Court. A three month suspended sentence for 12 months was given and the owner was required to comply with the Notices by 03/09/2019.</p> <p>05/09/2019 – Site visit undertaken; file passed to Legal Department for further action. Court date arranged for 28/11/2019.</p> <p>28/11/2019 - Officers returned to the High Court. A new three month suspended sentence for 12 months was given and the owner was required to comply in full with the Injunctions and the Order of the Judge by 31/01/2020</p>	
<p><u>Current Status/Position</u> Site visited. Case currently with the Council’s Legal Team for assessment. Charging orders have been placed on the land to recover costs.</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Dependent upon potential Legal Process</p>

F.2

LPA Enforcement Case Reference	ENF/2017/0170/USE
Location / Address	Land Adj to Oak Spring, The Street, Darsham
North or South Area	North
Date of Report of Breach	11.05.2017
<p><u>Nature of Breach:</u> Installation on land of residential mobile home, erection of a structure, stationing of containers and portacabins</p>	
<p><u>Summary timeline of actions on case</u> 16/11/2017 – Authorisation given to serve Enforcement Notice. 22/02/2018 – Enforcement Notice issued. Notice came into effect on 30/03/2018 and had a 4 month compliance period. An Appeal was then submitted.</p>	

<p>17/10/2019 – Appeal Decision issued by PINS. Enforcement Notice relating to the Use of the land quashed and to be re-issued as soon as possible, Notice relating to the operational development was upheld with an amendment.</p> <p>13/11/2019 – Enforcement Notice served in relation to the residential use of the site. Compliance by 13/04/2020. Appeal then received in relation to the Enforcement Notice for the residential use</p> <p>16/06/2020 – Submission of Appeal Statement</p> <p>11/08/2020 - Appeal dismissed with some amendments.</p> <p>11/12/2020 - Compliance with notice required. Site visit subsequently undertaken. Enforcement Notices had not been complied with so case then pass to Legal Department for further action.</p> <p>25/03/2021 - Further site visit undertaken. Notices not complied with, file passed to Legal services for further action.</p> <p>2022 - Application for an Injunction has been made to the High Court.</p> <p>06/10/2022 - Hearing in the High Court granted and injunction with 5 months for compliance and costs of £8000 awarded.</p> <p>08/03/2023 - Site visit conducted; injunction not complied with therefore matter passed to legal for further action.</p> <p>30/03/2023 - appeal submitted to High Court against Injunction – awaiting decision from Court.</p> <p>10/07/2023 -Injunction appeal failed, 2 weeks given to comply with Injunction by 10am on 24th July.</p> <p>25/07/2023-Site Visit conducted; injunction not complied with. Information sent to legal team.</p>	
<p><u>Current Status/Position</u> With Legal Team</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>24th July 2023</p>

F.3

LPA Enforcement Case Reference	ENF/21/0051/USE
Location / Address	Land West Of Guildhall Lane, Wrentham
North or South Area	North
Date of Report of Breach	10.02.2021
<p><u>Nature of Breach:</u> Change of use and unauthorised operational development (mixed use including storage of materials, vehicles and caravans and residential use /erection of structures and laying of hardstanding)</p>	
<p><u>Summary timeline of actions on case</u> 10/03/2022 - Enforcement Notices served and takes effect on 11/04/2022. 4 months for compliance.</p>	

<p>25/08/2022 - Site visit to check for compliance with Notices. File has been passed to the Legal Dept for further action.</p> <p>19/12/2022 – Court date set following non compliance at Ipswich magistrates for 30th January 2023.</p> <p>30/01/2023- Court over listed and therefore case relisted for 27th March 2023</p> <p>27/03/2023- Defendant did not attend, warrant issued, awaiting decision from court.</p> <p>31/07/2023- Defendant attended court, plead guilty to all charges and was fined £5134.78 in total.</p>	
<p><u>Current Status/Position</u> Considering legal options following court appearance</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>Depending on legal advice</p>

F.4

<p>LPA Enforcement Case Reference</p>	<p>ENF/21/0441/SEC215</p>
<p>Location / Address</p>	<p>28 Brick Kiln Avenue, Beccles</p>
<p>North or South Area</p>	<p>North</p>
<p>Date of Report of Breach</p>	<p>29.09.2021</p>
<p><u>Nature of Breach:</u> Untidy site</p>	
<p><u>Summary timeline of actions on case</u> <p>07/02/2022 - S215 (Land adversely affecting amenity of Neighbourhood) Notice served - compliance due by 11/06/2022</p> <p>17/06/2022 - Site visit undertaken to check compliance. Site remains untidy. Internal discussion to be held regarding further action. File passed to Legal Department for further action.</p> <p>21/11/2022– Attended court, defendant plead guilty, fined £120 and ordered to pay £640 costs and £48 victim surcharge. A Total of £808. Has until 24th February 2023 to comply with notice.</p> <p>10/03/2023- Site visit conducted, notice not complied with. Matter passed to Legal for further action.</p> <p>23/10/2023- Courts decided to adjourn the case for 3 months, to allow further time for compliance. Therefore, a further court date set for 15th January 2024.</p> </p>	
<p><u>Current Status/Position</u> In court compliance period</p>	
<p>Date by which Compliance expected (or prosecution date)</p>	<p>15th January 2024</p>

G. Cases on which a formal enforcement action has been placed on hold or where it is not currently expedient to pursue

G.1

LPA Enforcement Case Reference	ENF/2015/0279/DEV
Location / Address	Land at Dam Lane Kessingland
North or South Area	North
Date of Report of Breach	22/09/2015
<p><u>Nature of Breach:</u> Erection of outbuildings and wooden jetties, fencing and gates over 1 metre adjacent to highway and engineering operations amounting to the formation of a lake and soil bunds.</p>	
<p><u>Summary timeline of actions on case</u> 22/09/2015 - Initial complaint logged by parish. 08/12/2016 - Case was reopened following further information 01/03/2017 - Retrospective app received. Following delays in information requested, on 20/06/2018, Cate Buck, Senior Planning and Enforcement Officer, took over the case, she communicated and met with the owner on several occasions. 05/09/2018 - Notice served by recorded delivery. 18/06/2019 - Appeal started. PINS Reference APP/T3535/C/18/3211982 24/07/2019 – Appeal Statement Submitted 05/02/2020 - Appeal dismissed. Compliance with both Notices by 05/08/2020 03/03/2021 - Court hearing in relation to structures and fencing/gates Case adjourned until 05/07/2021 for trial. Further visit due after 30/04/21 to check for compliance with steps relating to lake removal. 30/04/2021 - Further legal advice being sought in relation to the buildings and fencing. Extension of time given until 30/04/21 for removal of the lake and reverting the land back to agricultural use due to Licence being required for removal of protected species. 04/05/2021 - Further visit conducted to check for compliance on Notice relating to the lake. No compliance. Case being reviewed. 05/07/2021 – Court hearing, owner was found guilty of two charges and had already pleaded guilty to one offence. Fined £550 and £700 costs 12/07/2021 – Letter sent to owner giving until the 10th August 2021 for the structures to be removed 13/08/2021 - Site visited and all structures had removed from the site, but lake remains</p>	
<p><u>Current Status/Position</u> On Hold. Ongoing consideration is taking place in respect of the compliance with the enforcement notice for removal of the lake. This is due to the possible presence of protected species and formation of protected habitat. Consideration is also required in respect of the hydrological implications of removal of the lake. At present, with the removal of structures and no harmful use taking place, the lake removal is not an immediately urgent action.</p>	

Date by which Compliance expected (or prosecution date)	31/12/2023
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Committee Report

Planning Committee North - 14 November 2023

Application no DC/23/2049/FUL

Location

Former Town Hall
High Street
Lowestoft
Suffolk
NR32 1HU

Expiry date 18 July 2023

Application type Full Application

Applicant Lowestoft Town Council

Parish Lowestoft

Proposal Restoration and extension of the Grade II listed Lowestoft Town Hall, to form a heritage hub, cafe, gallery, community event space, Town Council office, and registrar offices.

Case Officer Andrew Martin
andrew.martin@eastsoffolk.gov.uk

1. Summary

- 1.1. Planning permission is sought for the alteration, extension and change of use of the Former Town Hall - a Grade II listed building, to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices. There is an associated listed building consent application under reference DC/23/2050/LBC.
- 1.2. The application has been amended during the determination period in response to officer feedback, with the originally proposed canopy to the principal entrance having been omitted. There are no objections to the application from consultees.
- 1.3. It is considered that the proposed development would be in accordance with the Development Plan, with no material considerations indicating the application should be determined otherwise, and as such the application is recommended for approval.
- 1.4. The application has been referred to Planning Committee (North) as the Head of Planning and Coastal Management considers the application to be significant due to the Council's previous ownership of the site and the importance of the project for the town of Lowestoft.

2. Site Description

- 2.1. The application site is Lowestoft Town Hall, High Street, Lowestoft. It is a Grade II listed building that was designed by John Louth Clemence and built between 1857 and 1860. The building was subsequently altered between 1869 and 1873, and then rebuilt and extended between 1899 and 1905, with further extensions constructed during the twentieth century.
- 2.2. The Town Hall is a good example of a civic building in the Italianate style with its principal façade on the High Street and Compass Street, dating from 1905, having been composed with aesthetically pleasing proportions and ornate detailing. High quality materials are used across the Town Hall to good effect with the gault brick dressings providing a subtle contrast to the rich red brick, whilst the stone carved detailing is reserved to emphasise the principal entrances.
- 2.3. The Town Hall is a local landmark within the oldest part of Lowestoft, due to its scale, prominence, campanile-style clock tower, and architectural quality. Its history of civic use contributes very importantly to the landmark status of the building.
- 2.4. There are also a number of other listed buildings within the vicinity of the site, with nos. 41-42, 43-44, 45, and 46 High Street being of particular importance in terms of their group value with the Town Hall.
- 2.5. The former New Market Inn Public house, previously incorporated into the Town Hall, was specifically excluded from the listing when Historic England amended it in 2018.
- 2.6. The North Lowestoft Conservation Area boundary wraps around the existing building, meaning that part of the site falls within the Conservation Area and part of it is located outside of it. It is also worth noting that the site falls within the identified Medieval and Post-Medieval Town Core, and there are positive unlisted buildings within the Lowestoft

Conservation Area to the north and south of the site. The former New Market Inn is also a positive unlisted building within the Lowestoft Conservation Area.

- 2.7. The site is currently vacant and, whilst it has been secured and maintained by the Town Council, requires repurposing to secure its future. Due to the prominence and scale of the building, it addresses three street scenes. Specifically, the building faces onto Mariners Street to the north, the High Street to the east, and Compass Street to the south. Within these roads there are a variety of town centre uses, as well as residential properties and a car park. To the west of the site, there is an area of undeveloped land formerly occupied by office buildings, beyond which is the A47 and a predominantly residential area.

3. Proposal

- 3.1. As noted above, the application seeks planning permission for the alteration, extension and change of use of the Former Lowestoft Town Hall, which is a Grade II listed building.
- 3.2. The buildings had originally been used as a town hall which would fall under Use Class F2, whereas now a mixed use (*sui generis*) is proposed to accommodate a heritage hub, café, gallery, community event space, Town Council office, and registrar offices.
- 3.3. In terms of the proposed extensions, a new events hall building is proposed adjacent to Mariners Street, which would be linked to the main building by a lightweight, glazed link with timber supports. The existing archive building adjacent to Mariners Street would be replaced by a new gallery extension with a raised parapet, to conceal plant on its roof. The gallery extension would be linked to the events hall by a screen wall to create a new courtyard. Towards Compass Street, on the other side of the site, the former New Market Inn public house building would be extended, and its roof would be raised to accommodate and conceal plant equipment within a false mansard.
- 3.4. Alongside this application for planning permission, there is an associated listed building consent application (DC/23/2050/LBC) under consideration for a number of internal and external alterations to the listed building. Some of the external alterations are covered under this application, on the basis that they also require planning permission. These elements principally relate to the installation of external plant equipment and photovoltaics; the use of external window blinds; replacement windows; and the insertion of a roof to central courtyard to create additional internal space.

4. Planning History

- 4.1. The following planning history is relevant to the application site:
- DC/97/0174/LBC – Listed Building Consent – Erection of a sign to existing window opening – Approved on 07.03.1997
 - DC/99/0162/LBC – Listed Building Consent – Internal alterations – Approved on 23.07.1999
 - DC/05/0206/LBC – Listed Building Consent – Provision of floodlighting to illuminate flagpole to comply with flag flying protocol – Approved on 24.08.2005
 - DC/05/0205/RG3 – Provision of floodlighting to illuminate flagpole to comply with flag flying protocol – Approved on 20.06.2023

- DC/11/0908/FUL – Remove existing remains of disused chimney and extend existing roof covering over area of chimney – Approved on 14.11.2011
- DC/11/0910/LBC – Listed Building Consent – Remove existing remains of disused chimney and extend existing roof covering over area of chimney – Approved on 14.11.2011
- DC/16/2733/DEM – Prior Notification – Demolition of former Council offices and boundary wall to Mariners Street car park – Prior approval required and given on 26.08.2016
- DC/23/2050/LBC – Listed Building Consent – Restoration and extension of the Grade II listed Lowestoft Town Hall, to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices – Pending determination

5. Consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	19 June 2023 30 August 2023	31 July 2023 19 September 2023
Summary of comments: Initial response recommended a holding objection, however, following clarification from the applicant's agent, and the omission of the originally proposed canopy, the Highway Authority raised no objection to the development and recommended a Construction Management Strategy Condition.		

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	30 August 2023	24 July 2023
Summary of comments: No objection to the proposed development. No archaeological conditions recommended subject to the submission of an archaeological evaluation report approved by SCC Archaeology.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	26 September 2023	16 October 2023
Summary of comments: No objections to the proposed development subject to recommended conditions regarding compliance with the submitted Preliminary Ecological Assessment, and site clearance works mitigation.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	19 July 2023	16 August 2023
Summary of comments: No comments to make on the application.		

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Consultee	Date consulted	Date reply received
Historic England	2 June 2023	22 June 2023

Summary of comments: The full comments from Historic England, which relate to this application and listed building consent application DC/23/2050/LBC, can be found on public access, via the Council's website, but the main points are summarised as follows:

- Current Town Hall comprises a complex assemblage of structures, the oldest of which is the 1857 Council Chamber and underlying spaces.
- Later nineteenth and early twentieth century extensions to the building comprise a somewhat awkward arrangement of spaces, small offices, staircases and ancillary areas tied together by the unifying façade and central clocktower of its exterior.
- Town Hall is the most recognisable landmark in the north of Lowestoft and represents the historic civic heart of the town centre.
- Town Hall is a Grade II listed building owing to its high level of historic and architectural interest and is a strong contributory feature that lends significance to the North Lowestoft Conservation Area.
- The former Crown Inn public house, which forms the south-west wing of the complex, is excluded from the listing under the provisions of the Enterprise and Regulatory Reform Act 2013.
- Proposals comprise the comprehensive regeneration of the Town Hall and its site into a multi-use complex that, amongst other matters, recaptures its place at the civic heart of the town by incorporating the offices and ceremonial spaces required by Lowestoft's Town Council, and the Registry Offices.
- The uses proposed are the result of extensive public engagement and consultation carried out during the project development phase.
- The project forms one of the key strands to the North Lowestoft Heritage Action Zone, instigated in 2017.
- Removal of later partitions within the building and the creation of an internal 'yard' will create an attractive and enticing new area of public circulation where the existing arrangement is cramped, poorly lit and confusing.
- Noted that the modifications proposed affect elements of lesser significance, and overall they would cause minimal harm to the overall significance of the building.
- No concerns regarding the removal of the Mariners Street extension and its replacement.
- Design of new events space is positive, subject to appropriate materials, and will complement the historic core of the Town Hall complex positively.
- Support the creation of an outside garden space.
- Slight concern over the relationship of the northern elevation of the events hall, along with the garden wall, with the road. Currently it is a long blank elevation to the street and represents a missed opportunity to enhance and 'activate' the street scene, whilst retaining the enclosure evidently desired for privacy and security.
- Concern over introducing a pond to the courtyard as it would create unnecessary risk for users and takes up a fairly substantial amount of the quite limited outside space.
- Pleased that the former Crown Inn public house is being retained. Mansard roof alteration to accommodate services is considered to be the least intrusive solution.

- Proposal reorders the south and west facing elevations of the former public house quite considerably, resulting in a negative impact which would be reduced if more of the existing openings were to be reused, including the principal entrance door.
- Cooling and heating proposals have been the subject of considerable discussion at the pre-application stage. Considered that the current proposals represent the least harmful option.
- No concerns regarding the installation of solar panels as proposed. The panels would be minimally visible from the street level and would cause no harm to the significance of the Town Hall or Conservation Area.
- Heritage Statement clearly demonstrates the historic precedent for the use of solar shading to the south-facing windows.
- Proposals are an exciting opportunity to bring the vacant Town Hall back into use as a civic and community building that the town could rightly be very proud of and would secure its long-term conservation.
- Whilst there are some elements of the proposal which are considered to be harmful to the listed building's significance, Historic England are generally supportive of the scheme.
- Local planning authority should carry out the planning balance and consider whether the proposals would be justified or outweighed by the public benefit in their current form, or whether they should be amended.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	2 June 2023	23 June 2023

Summary of comments: The full comments from the Council's Principal Design and Conservation Officer, which relate to this application and listed building consent application DC/23/2050/LBC, can be found on public access, via the Council's website, but the main points are summarised as follows:

- Application follows a period of positive pre-application engagement on the proposed development.
- List description for the Town Hall was updated in September 2018.
- Town Hall is listed for Group Value with a considerable number of listed buildings, particularly nos. 41-42, 43-44, 45 and 56 opposite.
- Changes to the Town Hall can have impacts and effects on the significance of other listed buildings identified within the same group.
- The submitted Heritage, Design and Access Statement, and the Conservation Management Plan meet the requirements of the NPPF.
- Disagree with the conclusion in the submitted information that there would be less than substantial harm to the heritage asset.
- It is considered that the effects of the proposal on the significance of the listed building will be neutral to beneficial, leading, overall, to the preservation of its special interest.
- Usually suggest including a condition requiring deposition to the Suffolk Historic Environment Record. The Conservation Management Plan includes a 2019 Statement of Significance as one of its appendices. If this can be extracted and deposited at the HER, this would satisfy paragraph 193 of the NPPF alongside as-existing drawings.
- Principle of the proposals for the reuse of the Town Hall building are strongly supported.

- Repurposing the landmark building will not only conserve the important heritage asset but contribute significantly the revitalisation of the historic core of Lowestoft and its Conservation Area.
- The building's redundancy in 2015 placed it at risk through vacancy, absence of a new use and a change in ownership.
- Town Council has been a responsible owner while the future of the building is being determined.
- Comprehensive approach taken to the project has been exceptional and is fully supported.
- The building is of a scale and character that can no longer support a single use.
- Felt strongly that the building is a public building and should retain publicly accessible uses, as proposed.
- Relocation of the Town Council into the building, and the inclusion of the registrar office, is a significant benefit of the current proposal. It would retain and maintain the original purpose of the building, which is an important conservation benefit.
- Proposal represents a positive re-use of the building which will retain its civic use, and which will also add further uses that will populate all spaces of the building; provide for its use to extend into evenings and weekends; diversify its range of users; and retain the building in a public use.
- Proposal layout and changes follow on closely from those supported at the pre-application stage.
- Proposals recognise those parts of the building that are most sensitive to change and therefore minimise change to them.
- Equally, the proposals recognise those parts of the building that are least sensitive to change and provide for necessary change to be focussed in these areas.
- Proposals utilise opportunities to introduce permeability into a building layout that is complicated by years of extension and adaptation, and this is strongly welcomed.
- Proposals also make best use of the associated rear courtyard space to the Town Hall through an extension which will enclose it and assist in the repair of the townscape in this area of Mariners Street.
- The proposals cannot repair the damage wrought through demolition to the west of the Town Hall which has harmed its setting and that to the Conservation Area, as well as the local townscape.
- Mix of uses and their arrangement within the layout provide an excellent fit with the building's character and layout.
- The building is considered to be eminently adaptable and the submitted proposals are sensitive to important surviving historic fabric and features.
- Application does not include plans and elevations marked up to indicate demolitions, but, based upon the outcome of the pre-application process and knowledge of the proposals, it is considered that the demolitions, layout changes, and additions proposed are acceptable.
- There will be some minor loss of historic fabric and layout legibility, but the effects arising from the impact of that will be neutral overall on the significance of the building.
- Proposed additions to the building are to the upper level and rear of the former New Market Inn; the rear courtyard to the Town Hall; and to the Mariners Street elevation.
- The former New Market Inn is not part of the listed building, but it is part of the Conservation Area and is identified as a positive unlisted building in the adopted Conservation Area appraisal (2021).
- The New Market Inn building would have its eaves raised and roof replace with one that hides the plant behind it, in effect a false roof. The building would also be extended northwards. Proposals to the building will increase its bulk and the new roof would result

in a rather strange proportion, but there is a substantial functional benefit to the changes, as the roof would hide new plant. The rear extension would be appropriately designed. The changes to the building are considered to be acceptable on that basis.

- Additions to the rear courtyard to the Town Hall, which will house the event hall and ancillary spaces, are acceptable in principle and design. Strongly support the creation and meaningful use of the limited external space to the rear of the Town Hall. Presentation of the rear of the site to Mariners Street, along with the abutting screen wall, is very welcome.
- Event hall design adopts a bold gabled profile with generous glazing and permeability into the courtyard space and is linked to the main building by a lightweight glazed link with expressed timber posts. This part of the proposal will also re-densify the site so that it can approximate to its original historic character as an urban block. The event hall element is fully supported.
- Replacement gallery building to Mariners Street will reveal its function which is the provision of hanging space. Its design is straightforward and will complement the attractive decorative quality of the part of the Town Hall adjacent to Mariners Street by not competing or detracting from it.
- Front wall of the gallery, along Mariners Street, is designed to appear as a continuation of the screen wall to the new rear courtyard space which connects to the new events space building, and this is an attractive presentation to the street.
- Raised parapet to the roof of the gallery addition will screen plant from public views.
- Ground floor alterations are based upon the significance and sensitivity analysis included within the Conservation Management Plan. Changes to the frontage block are improvements, removing inappropriate, modern interventions in and around the entrance, making the entrance more permeable and understandable for visitors and users. Existing inner courtyard will be enclosed to provide a new internal space in a creative way which enables several positive outcomes in terms of internal connectivity between multiple uses.
- Flank block to Compass Street be adapted to provide enlarged room spaces and/or subdivided to provide ancillary and functional spaces. There are no concerns over the ability of these spaces to accommodate the proposed changes.
- The engraved windows to Compass Street are to be retained, with the side entrance also to be retained for use as a fire escape only.
- Interior of the former New Market Inn will be heavily adapted in terms of its layout and additions. The internal spaces of the building are of no note, with its identified positive contribution to the Conservation Area derived from its external configuration and townscape qualities only, and the effect of these will be largely retained.
- First floor of the Town Hall accommodates the key principal spaces of the building, including the Council Chamber, Chairman's Room, and the Chamber Landing. This sequence of spaces is of the highest importance in understanding the civic purpose of the building and how it was used for over 140 years.
- Council Chamber is pre-eminent space in the building, and it is welcome that the submission acknowledges this importance and retains the sequence of spaces mostly unaltered. The chamber is to be repurposed as a multi-use space for council meetings, talks, weddings, events, concerts, and associated uses. Interventions within the space will be limited to air exchange equipment to support the ventilation strategy for this space, which has suffered from solar gain when in past use, and the removal of the non-historic dais. Retaining and increasing public accessibility to this space is strongly welcomed.
- Supporting plant to the chamber will be annexed to the hidden roofspace above the adjacent replacement gallery.

- A fully glazed roof will toplight the new ground floor courtyard infill space, and the existing cellular layout to the flank block is mostly retained as found and adapted to serve as the registry office.
- Proposed first-floor plans show a photovoltaic array to one pitch of the rear gabled courtyard extension, positioned in such a way as to screen them from Mariners Street.
- Principal change to the second-floor relates to the former New Market Inn, with the upwards extension, as already noted, supported.
- The roof plan indicates the new roof form to the former New Market Inn building; the addition of buildings to the rear courtyard space; and the replacement building to Mariners Street. These changes cause no concern.
- The photovoltaic strategy is of note and the Council's advice, contained within the Historic Environment SPD, is for roof-mounted arrays to avoid the principal listed building. In this instance, there are literally no other positions for the arrays to be mounted, in terms of open space or curtilage or secondary buildings. Their accommodation on the listed building can be accepted. It is helpful that the parapet and low-pitched roof design to the front and flank blocks should entirely mitigate the visibility of the arrays from ground-level.
- Principal elevations of the Town Hall will be retained unaltered, except for the proposed gallery addition that will replace the archive building on Mariners Street.
- Existing elevations impart a high degree of value and significance to the building and define its character. They permit the building to be very much read as a late 19th Italianate civic building. The conservative approach demonstrated as part of the application is therefore welcome.
- The new Mariners Street frontage does have a curiously unfriendly character and it is unclear why the events space addition, and attached screen wall, are so relentlessly blank. A more visual permeability into the space would have been preferred.
- The design of the windows to the former New Market Inn building are unsympathetic. It would have been preferable for these windows to have a historic character with the appearance of sliding sash windows to the Compass Street elevation.
- Cannot locate any detail for the proposed canopy over the principal entrance onto the High Street. No evident historic precedent for a canopy or justification for one. It would be preferable for this element of the proposal to be deleted, in order to retain the principal entrance unaltered.
- Other proposed fixtures to the listed building, such as frontage banner signage or lighting, are ephemeral in nature and are not cause for any concern. It is reasonable for the building to be able to highlight its activities and offer, and we need to be able to facilitate a way to do that.
- Proposals for improving the internal and external accessibility to all parts of the building are strongly supported, including the physical measures proposed to implement the access strategy.
- Ventilation strategy for the Council Chamber was discussed in detail during the pre-application process. A balance was sought between external and internal impacts of the plant and equipment needed, and a conclusion was reached that managed internal impacts would provide the least harmful outcome. The proposed array of nozzles at high level to the east wall of the chamber do have the potential to be visually intrusive. It is considered, however, that their design can be enhanced such that they can somehow integrate with the decorative scheme in the room once the details are provided at the discharge of condition stage.
- Proposed plant is mostly accommodated in the new build elements of the proposal.

- Sustainability strategy set out within the Heritage, Design and Access Statement is supported. The improved energy performance measures that are set out, such as secondary glazing, addition of insulation, addition of PV panels, and the addition of solar shading, are accepted measures for improving historic buildings without harm to their significance.
- It is welcome to see a specific strategy for windows within the submitted Heritage, Design and Access Statement. This includes the restoration and protection of stained glass windows; retrofitting of main street windows with slimline sealed units; restoration and retention of etched glass windows, with secondary glazing to be added, facing onto Compass Street; replacement of other windows which do not face onto the street with slimline sealed units. Window strategy proposed demonstrates a sound conservation approach.
- Details have been submitted which essentially provide a schedule of how each window will be treated in terms of retention, modification, or replacement. This level of detail is welcomed and obviates the need for a schedule to be required by condition.
- Proposed addition of external window blinds, as illustrated in some of the submitted visualisations available within the Heritage, Design and Access Statement, is a delightful idea.
- The Heritage, Design and Access Statement includes a brief strategy for repairs to the building. Some inconsistency identified between the brief strategy and the submitted drawings. This specifically relates to the proposed use of Canadian slate. The approach outlined can be supported in principle, but a condition is recommended to require a sample of the Canadian slate for approval.
- Any aspects of the proposal not commented on can be taken to mean that they are not objectionable.
- The applications will preserve the special interest and group value of the Grade II listed Lowestoft Town Hall and preserve and enhance the character and appearance of the North Lowestoft Conservation Area free from harm, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Relevant tests of the NPPF at paragraphs 201 and 202 are not engaged.
- Proposals would meet the requirements of paragraph 197 of the NPPF.
- The scheme will conserve and revitalise this landmark building to its benefit and that of the Conservation Area and town of Lowestoft.
- Concluded that the applications are supported subject to recommended conditions.

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	2 June 2023	2 June 2023
Summary of comments: No comments.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	2 June 2023	No response
Summary of comments: No response received.		

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Consultee	Date consulted	Date reply received
Lowestoft Town Council	2 June 2023	29 June 2023
<p>Summary of comments:</p> <p>“Thank you for providing Lowestoft Town Council with this planning application consultation. However, as applicant and landowner, the Town Council will not submit a recommendation.”</p>		

Third Party Representations

None received.

6. Publicity

6.1. The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	9 June 2023	30 June 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	9 June 2023	30 June 2023	Lowestoft Journal

Site notices

General Site Notice	Reason for site notice: Conservation Area; Listed Building Date posted: 22 June 2023 Expiry date: 13 July 2023
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7. Planning policy

WLP1.2 - Settlement Boundaries (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP2.9 - Historic High Street and Scores Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.18 - New Town Centre Use Development (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.21 - Sustainable Transport (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.31 - Lifetime Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.34 - Biodiversity and Geodiversity (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.40 - Archaeology (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

North Lowestoft Heritage Action Zone Design Guide Supplementary Planning Document (East Suffolk Council, Adopted July 2020)

National Planning Policy Framework 2023 (NPPF)

8. Planning Considerations

Principle of Development

- 8.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the development plan, unless material considerations indicate otherwise. The Council's Development Plan in the context of this application consists of the East Suffolk Council – Waveney Local Plan (Local Plan), adopted March 2019.
- 8.2. Other material considerations to the determination of the application include the Historic Environment Supplementary Planning Document (2021); the North Lowestoft Heritage Action Zone Design Guide Supplementary Planning Document (2020); and the National Planning Policy Framework (2023), from herein referred to as the NPPF.
- 8.3. The application site is located within the development boundary for Lowestoft, as defined under Policy WLP1.2. Policy WLP2.1 states that the Council will work with its partners to deliver the objectives for Central and Coastal Lowestoft and the specific objectives identified for the main themed opportunity areas. In this instance, the site is within the Historic High Street and Scores Area where Policy WLP2.9, amongst other matters, requires the conservation and enhancement of the area *“through heritage-based regeneration to complement the town centre, provide local shopping services and facilities*

and support local tourism and links between the town centre and the East of England Park”.

- 8.4. Policy WLP8.18 explains that new town centre use development (falling within the former use classes A1, A2, A3, A4, A5, C1, D2, and B1a) will be permitted within Town Centre Boundaries.
- 8.5. Paragraph 86 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 8.6. Planning permission is sought for the restoration, alteration, and change of use of the former Town Hall to provide a heritage hub, café, gallery, community event space, Town Council office, and registrar offices. Whilst the town centre uses referenced under Policy WLP18.18 have since been consolidated into Use Class E, the mix of uses proposed are appropriate to the town centre and high street location, and the proposed development would significantly improve the quality of the local environment through the sympathetic repurposing of a historic, landmark building.
- 8.7. The principle of the proposed development therefore accords with Policies WLP1.2, WLP2.9, and WLP8.18, and the objectives contained within the NPPF.

Design/Character and Appearance of the Area

- 8.8. Policy WLP8.29 requires all new developments to achieve a high standard of design that reflects local distinctiveness. To assist in the achievement of this objective within the historic core of Lowestoft, the North Lowestoft Heritage Action Zone Design Guide SPD identifies the overriding features of the townscape which should be referenced when developing proposals, including the prevailing materials.
- 8.9. Policy WLP8.30 establishes that developments should be designed to support the needs of older people and those with dementia through the creation of environments which are familiar, legible, distinctive, accessible, comfortable, and safe.
- 8.10. Paragraph 130 of the NPPF details that planning policies and decisions should ensure that developments function well and add to the overall quality of the area. To achieve this, developments must be visually attractive as a result of good architecture, layout, and effective landscaping. Moreover, developments must establish a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live, work, and visit.
- 8.11. The proposed development incorporates a number of extensions and alterations to the former Town Hall building. To the rear, a new events hall building is proposed, utilizing a subordinate form and an attractive orangery or coach house typology, which would connect to the existing built form through a lightweight, timber framed, glazed link. The Mariner Street frontage would also be updated by replacing the 1930's archive building with a gallery extension, the principal elevation of which would appear as a continuation of the screen wall to the new rear courtyard that would be created. On the other side of the building, the former New Market Inn would be extended to the rear and its roof would be raised to create a false mansard. In the middle of the existing building, the central courtyard would become an internal space by adding a glazed roof.

- 8.12. Plant and photovoltaic panels would be installed in various locations across the site, but crucially the design has been sensitively considered throughout to ensure that in all instances the visual impact of these elements would be limited and mitigated. For instance, the false mansard roof to the former New Market Inn building is proposed to screen plant.
- 8.13. Where window replacements to the listed building are necessary, the new windows will be slimline sealed windows. External window blinds are also proposed to the Compass Street elevation. Existing windows to the former New Market Inn building will be either filled in or replaced with aluminium-timber composite frames. Whilst the Council's Principal Design and Conservation Officer considers the replacement windows to the New Market Inn building to be the least satisfactory element of the scheme, the overall strategy for windows is one that is fully supported.
- 8.14. Materials proposed for the extensions seek to create an impression of cohesion and continuation with the materials of the existing building and its local context. Traditional red brick is proposed for all new external walls; slate will be used for the event hall roof; plain clay tile will be used for the former New Market Inn building; and natural copper will be used for the roof finish of the lightweight, glazed structure that links the event hall to the existing building. These materials are considered to be acceptable subject to conditions, including the requirement for a sample of the Canadian slate to be submitted for approval.
- 8.15. All of the proposed extensions and alterations noted above have been subject to extensive pre-application engagement. Even during the determination period of the application changes have been made in response to the request of officers, namely the omission of the originally proposed canopy over the High Street entrance. The subsequent result is a comprehensive scheme which reflects the importance of the former Town Hall building and the collective desire of all stakeholders to see it regenerated in a manner that is sympathetic to its heritage significance and its surroundings.
- 8.16. It is also of note that the proposed interventions have been designed to increase accessibility to the Town Hall building and its various uses. The Applicant had even enlisted the services of an access consultant to inform the proposals. This has translated into the inclusion of two full lifts; a platform lift; raised floor levels to create level access; provision of steps and ramps; accessible WCs near all entrances; and a changing place WC.
- 8.17. Overall, it is considered that the proposed development would represent a very high standard of design and accessibility in accordance with Policies WLP8.29 and WLP8.30. Likewise, the proposed development would comply with the design objectives contained within the NPPF.

Heritage

- 8.18. Policy WLP8.37 requires development proposals to conserve or enhance heritage assets and their settings. Additionally, as aforementioned, Policy WLP2.9 states that the Historic High Street and Scores area should be conserved and enhanced through heritage-based regeneration to complement the town centre. The policy also notes that new developments should also provide for environmental improvements.

- 8.19. The adopted Historic Environment SPD provides further guidance on a range of topics including conservation areas, listed buildings and non-designated heritage assets, and sustainable construction and renewable energy.
- 8.20. The above policy objectives are consistent with the policies contained in chapter 16 of the NPPF which recognises the importance of heritage assets and the subsequent importance of sustaining and enhancing their significance. Notably, paragraph 197 states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, alongside recognising the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality. It concludes by emphasising the desirability of new development making a positive contribution to local character and distinctiveness.
- 8.21. Paragraph 199 of the NPPF indicates that when considering the impact of a proposed development on the significance of a heritage asset great weight should be given to the asset's conservation irrespective of whether any potential harm is considered to be substantial or less than substantial.
- 8.22. Paragraph 203 of the NPPF sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In doing so, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 8.23. The Council also has statutory duties, under s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the significance of listed buildings and the desirability of preserving or enhancing the character and appearance of conservation areas.
- 8.24. An associated listed building consent application, reference DC/23/2050/LBC, is also under consideration and addresses the works which require listed building consent rather than planning permission. It is not therefore intended to cover the internal alterations and listed building consent works within this report.
- 8.25. In terms of the heritage considerations relevant to this application, the proposed development seeks to change the use of a Grade II listed building, whilst simultaneously seeking to alter and extend the building to facilitate its enhanced offering. As the building is listed in part due to its Group Value with nos. 41-42, 43-44, 45 and 46 High Street, consideration also needs to be given to any potential impacts on the significance of the listed buildings within its vicinity, as well as the significance of the North Lowestoft Conservation Area which envelopes the majority of the site and adjoins the remainder of it.
- 8.26. In addition to the above, the proposed development affects unlisted buildings of significance, including the former New Market Inn building that is to be extended and altered as part of the scheme. A number of other unlisted buildings of significance can be found within the High Street.
- 8.27. The Council's Principal Design and Conservation Officer has reviewed the application and commends the approach taken by the Applicant and project team as exceptional. This is

because, amongst other matters, it is proposed to repurpose the building in a creative way by introducing a range of uses to sustain its life, whilst retaining its civic use and public accessibility. The retention of the original civic use, alongside the building's diversification of use, is identified as a significant conservation benefit arising from the proposed development.

- 8.28. As concluded in the above discussion on design, the proposed extensions and external alterations have been the subject of meaningful pre-application engagement and represent a very high standard of design. There would be some loss of historic fabric as a result of the proposed development, but the effects from this impact are considered to be neutral overall on the significance of the building. Hence, in summarising their comments, the Principal Design and Conservation Officer considers that the impacts of the proposal on the Grade II listed former Town Hall building will be neutral to beneficial, leading, overall, to the preservation of its special interest and group value.
- 8.29. Similarly, the Principal Design and Conservation Officer concludes that the effect of proposals on the character and appearance of the Conservation Area will both preserve and enhance it.
- 8.30. Historic England has been consulted on the proposals due its previous involvement at the pre-application stage following the recently completed North Lowestoft Heritage Action Zone (HAZ) project, in which it was a key partner, rather than as a statutory requirement. Historic England's response outlines support for the application on heritage grounds, albeit some concern is raised regarding the treatment of the proposed elevation to Mariner Street; the inclusion of a pond within the rear courtyard; and the reordering of the elevation to the former public house building.
- 8.31. Despite the minor reservations raised by Historic England, officers are in agreement with the Council's Principal Design and Conservation Officer and take the view that the proposals as a whole would have a neutral to beneficial impact upon the Grade II listed building, whilst both preserving and enhancing the character and appearance of the Conservation Area.
- 8.32. In the absence of harm to any heritage assets, the relevant balancing tests set out at paragraphs 201, 202, and 203 of the NPPF are not engaged. Notwithstanding this, even if harm were to be identified to any of the affected heritage assets, it would be 'less than substantial' and the extensive public benefits arising from the proposed development would significantly and demonstrably outweigh any such harm. Therefore in either scenario the scheme is acceptable in heritage terms.
- 8.33. To summarise, the proposed development would preserve the special interest and group value of the Grade II listed Lowestoft Town Hall and preserve and enhance the character and appearance of the North Lowestoft Conservation Area, thereby complying with Policies WLP2.9 and WLP8.37, in addition to the heritage policies and objectives contained within the NPPF. The local planning authority could therefore grant planning permission without prejudicing its statutory duties under s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Amenity

- 8.34. Policy WLP8.29 requires new developments to protect the amenity of the wider environment, neighbouring uses and provide a good standard of amenity for future occupiers. This objective is reflected under paragraph 130 of the NPPF.
- 8.35. The Town Hall is situated in Lowestoft High Street where there are a range of existing town centre uses. There are also residential properties within Mariner Street, Compass Street, and the High Street.
- 8.36. Given the mix of uses proposed as part of the Town Hall's regeneration, including an events space for wedding receptions and live music etc, it is reasonable to expect that when compared to the current redundant use of the site there will be an increase in activity and noise generated. Noise will also be generated by the proposed plant. However, the uses proposed, and their hours of operation, would not be uncharacteristic for a town centre location.
- 8.37. The application is supported by a Noise Impact Assessment, prepared by Max Fordham LLP, which concludes that with the implementation of mitigation, in the form of induct insulation and the proposed parapet walls and screening, the plant noise would not result in any significant impacts. Likewise, through the implementation of a management strategy to limit outdoor night-time activities, the proposed uses would not result in any significant noise impacts. A condition is recommended requiring compliance with the Noise Impact Assessment.
- 8.38. An element of 24-hour access will be required to the building for maintenance staff and staff of the registrar offices, Town Council's office, and co-working offices. This flexibility for maintenance and office staff is reflected in the recommended condition which restricts the public use of the building to the hours specified within the application form.
- 8.39. In addition to the above, a Kitchen Ventilation Odour Control document, prepared by Max Fordham LLP, has been submitted to demonstrate how a ventilation system has been carefully integrated into the design of the proposed development to ensure that any amenity issues with regards to odour, fumes, and food particles are limited and mitigated.
- 8.40. Environmental Protection have been consulted on the application and returned no comments or objections.
- 8.41. The proposed development is considered to accord with Policy WLP8.29, and the relevant objectives contained within the NPPF.

Highway Matters

- 8.42. There is no vehicular access proposed as part of the development. The principal highway considerations therefore relate to parking, and the maintenance of pedestrian thoroughfares free of obstruction or hazard.
- 8.43. In terms of parking, the Suffolk Guidance for Parking is the starting point for determining the amount of car parking spaces that need to be provided for a development. In urban areas, where there is good provision for public transport and high-quality infrastructure for walking and cycling, the guidance does permit the relaxation of the prescribed standards.

In this instance, the site is located in a town centre location where there are excellent opportunities to maximise the promotion of sustainable modes of transport.

- 8.44. The proposal includes 18 spaces for cycle parking towards the rear of the building, exceeding the minimum standard required under the Suffolk Guidance for Parking. Shower facilities are also proposed inside the building to encourage staff to cycle to work.
- 8.45. Aside from the cycle parking proposals, the submitted Transport Statement highlights that there are sufficient existing car parking spaces within the locality, including a public car park in Mariners Street, to justify, alongside the sustainable transport opportunities, an absence of proposed car parking as part of the development.
- 8.46. It is also proposed that four existing on-street spaces would become dedicated accessible spaces, subject to approval from the Highway Authority and the use of a Traffic Regulation Order (TRO). Whilst this is positive, and the Applicant is encouraged to engage with the Highway Authority to secure it, the TRO is not considered necessary to make the development acceptable in planning terms and therefore it cannot be secured by condition, or through a planning obligation, under this planning permission.
- 8.47. Sufficient on-street parking would remain within Mariners Street, High Street, and Compass Street for loading and unloading associated with the operation of the proposed development.
- 8.48. The Highway Authority, Suffolk County Council Highways (SCC Highways) have been consulted on the application and initially recommended a holding objection, due to clarification required on the door openings, entrance canopy, and cycle storage. Following the omission of the entrance canopy, in addition to clarification on the door openings and cycle storage, SCC Highways subsequently responded to the application raising no objections subject to a Construction Management Strategy condition.
- 8.49. There are no objections to the application on highway grounds.

Ecology

- 8.50. Policy WLP8.34 establishes that where there is reason to suspect the presence of protected species or habitat, applications should be supported by an ecological survey undertaken by a suitably qualified person.
- 8.51. Paragraph 174 of the NPPF is also explicit that planning decisions should contribute to and enhance the local environment by minimising impacts on and providing net gains for biodiversity.
- 8.52. The application is supported by a Preliminary Ecological Assessment (PEA), prepared by Abrehart Ecology, which assesses the likely impact of the development on Protected and Priority Habitats and Species, as well as the identification of proportionate mitigation measures. Due to the potential suitability of the site for bats, the PEA recommended three further bat surveys which were subsequently completed and submitted for consideration. The Council's Ecologist has reviewed the application and is content that sufficient information has been submitted for determination, with no objections raised subject to conditions.

- 8.53. The proposed development would subsequently be in accordance with Policy WLP8.34, as well as the relevant objectives of the NPPF.

Contamination

- 8.54. The application is supported by a Ground Investigation Report, prepared by Listers Geotechnical Ltd, which does not identify any significant risks to construction and maintenance workers, or end users, associated with the proposed development. The proposed development is therefore considered to be acceptable with regards to contamination, subject to compliance with the Ground Investigation Report and the imposition of a further condition with regards to the identification of any unexpected contamination during the construction phase of the development.
- 8.55. Environmental Protection have been consulted on the application and returned no objections.

Unexploded Ordnance

- 8.56. The application is accompanied by a Detailed Unexploded Ordnance (UXO) Threat and Risk Assessment report, prepared by 6 Alpha Associates. The risk assessment concludes that the risk rating for UXO is high; however, following investigation and the recommended implementation of the proposed mitigation measures, the risk level can be reduced to 'as low as reasonably possible'.
- 8.57. A condition is recommended to secure the recommendations and mitigation measures outlined within the UXO risk assessment, whilst also establishing the mitigation procedures and measures that should be implemented should any previously unidentified UXO be encountered.

Archaeology

- 8.58. As identified on the Suffolk Historic Environment Record, the site is located within an area of archaeological importance (medieval and post medieval town core) meaning there is high potential for archaeology. Accordingly, the application is supported by an Archaeological Evaluation, prepared by Britannia Archaeology Ltd.
- 8.59. SCC Archaeology have been consulted on the application and, following the receipt of the Archaeological Evaluation, recommend that no archaeology conditions are required due to there being no archaeology present within the heavily disturbed ground.

CIL

- 8.60. The proposed development is not CIL liable.

9. Conclusion

- 9.1. To conclude, the proposed development would repurpose a landmark, historic building within Lowestoft for uses appropriate to the heritage context and town centre location. The design of the proposed development is considered to achieve a very high standard, and the heritage impacts arising would be neutral to beneficial. There are no amenity,

highways, ecology, contamination, or UXO concerns associated with the development that cannot be mitigated through the use of conditions, and there are no objections to the application from consultees. Significant public benefits would arise from the sympathetic restoration and re-use of the Town Hall, and no harm has been identified with regards to the proposed development. The proposed development is considered to accord with the Development Plan as a whole and the objectives contained within the NPPF. Planning permission can therefore be granted.

10. Recommendation

10.1. Planning permission be approved, subject to conditions.

11. Conditions

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- 194_HAT_PL_P01 Rev. PL (Location Plan and Block Plan)
- 194_HAT_PL_P10 Rev. B (Proposed Ground Floor Plan)
- 194_HAT_PL_P11 Rev. A (Proposed First Floor Plan)
- 194_HAT_PL_P12 Rev. A (Proposed Second Floor Plan)
- 194_HAT_PL_P13 Rev. A (Proposed Roof Plan)
- 194_HAT_PL_P14 Rev. PL (Proposed Landscape Plan)
- 194_HAT_PL_P15 Rev. A (Proposed North and South Elevations)
- 194_HAT_PL_P16 Rev. A (Proposed East and West Elevations)
- 194_HAT_PL_P17 Rev. PL (Proposed Sections A and B)
- 194_HAT_PL_P18 Rev. PL (Proposed Sections C, D, and E)
- 194_HAT_PL_P19 Rev. PL (Proposed Treatment of Existing Windows)
- 5170-MOM-XX-XX-DR-C-62000 Rev. P03 (Proposed Drainage Layout)
- J7182-MXF-ZZ-01-DR-M-20100 Rev. P3 (Ventilation Level 01 Layout)

Reason: For the avoidance of doubt as to what has been approved.

3. A Demolition and Construction Management Strategy shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on site. The strategy shall include access and parking arrangements for contractors vehicles and delivery vehicles (locations and times) and a methodology for avoiding soil from the site tracking onto the highway together with a strategy for remedy of this should it occur. The development shall only take place in accordance with the approved strategy.

Reason: In the interest of highway safety to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase. This is a pre-commencement condition because an approved Management Strategy must be in place at the outset of the development.

4. No development shall commence until a full specification of all external materials to be used in the approved extensions and alterations, including rainwater goods, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details.

Reason: This is a pre-commencement condition to ensure that the development does not harm the architectural and/or historic character of the existing building.

5. Prior to development above slab level, a sample of the proposed Canadian slate shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approval sample and thereafter permanently retained as such.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

6. Prior to development above slab level, details of both hard and soft landscaping works have been submitted to and approved in writing by the local planning authority. These details shall include:

- Means of enclosure and retaining structures;
- Boundary treatments;
- Hard surfacing materials;
- Minor artefacts and structures (e.g. furniture, railings, refuse or storage units, etc.)
- Water features;
- Planting plans;
- Written specification, including cultivation and other operations associated with plant and grass establishment;
- Schedule of plants noting species, plant supply sizes and proposed numbers/densities where appropriate;
- An implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity.

7. Prior to the installation of any photovoltaic panels, full details of the photovoltaic panels, including size, final positions, and method of fixing, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in full accordance with the approved details.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

8. Prior to the installation of the external awnings, manufacturers details for the proposed Markisolette external awnings shall be submitted to and approved in writing by the local

planning authority. The development shall be carried out in full accordance with the approved details.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

9. The infill brickwork to existing external openings shall match the existing, adjacent brickwork in size, colour, face, coursing, and bonding.

Reason: To ensure that the development does not harm the architectural and/or historic character of the existing building.

10. The recommendations and mitigation measures outlined within the Detailed Unexploded Ordnance (UXO) Threat & Risk Assessment, prepared by 6 Alpha Associated Ltd and dated 18 April 2023, shall be undertaken in full alongside the implementation of any other necessary mitigation required under Government guidance.

If, at any time during development, high risk UXO not previously identified in the aforementioned report is encountered/found to be present on the site, no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a revised and/or additional UXO risk management and mitigation programme/plan is submitted and approved detailing how the high risk UXO not previously identified shall be dealt with. The revised and/or additional UXO risk management and mitigation programme/plan shall be implemented as approved and, following the completion of the mitigation, a completion verification report confirming that all risks to (including the possible evacuation of) existing and proposed premises have been satisfactorily mitigated shall be submitted in writing to the local planning authority for approval.

Reason: To ensure that the risks from site wide unexploded ordnance to future users of the land and existing neighbouring land are eliminated and or minimised, so that the development can take place without unacceptable risk to workers, residents and neighbours.

11. The development shall be carried out in full accordance with the approved Noise Impact Assessment, prepared by Max Fordham LLP and dated 26 April 2023.

Reason: In the interests of amenity and the protection of the local environment.

12. The development shall be carried out in full accordance with the approved Kitchen Ventilation Odour Control document, prepared by Max Fordham LLP and dated 18 May 2023.

Reason: In the interests of amenity and the protection of the local environment.

13. The premises shall only be open to the public between 07:00 and 00:00 Monday to Friday; between 07:00 and 00:00 on Saturdays; and between 08:00 and 23:00 on Sundays and Bank Holidays. The premises shall be closed to the public at all other times.

Reason: In the interests of amenity and the protection of the local environment.

14. The development must be undertaken in full accordance with the ecological avoidance, mitigation, compensation and enhancement measures identified within the Preliminary Ecological Assessment (Abrehart Ecology, October 2022, Revision 1) and Bat Roost Characterisation and Mitigation Report (Abrehart Ecology, September 2023, Revision 1) as submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To ensure that ecological receptors are adequately protected and enhanced as part of the development.

15. No removal of hedgerows, trees or shrubs, brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

16. The development shall be carried out in full accordance with the approved Ground Investigation Report, prepared by Listers Geotechnical Consultants Ltd.

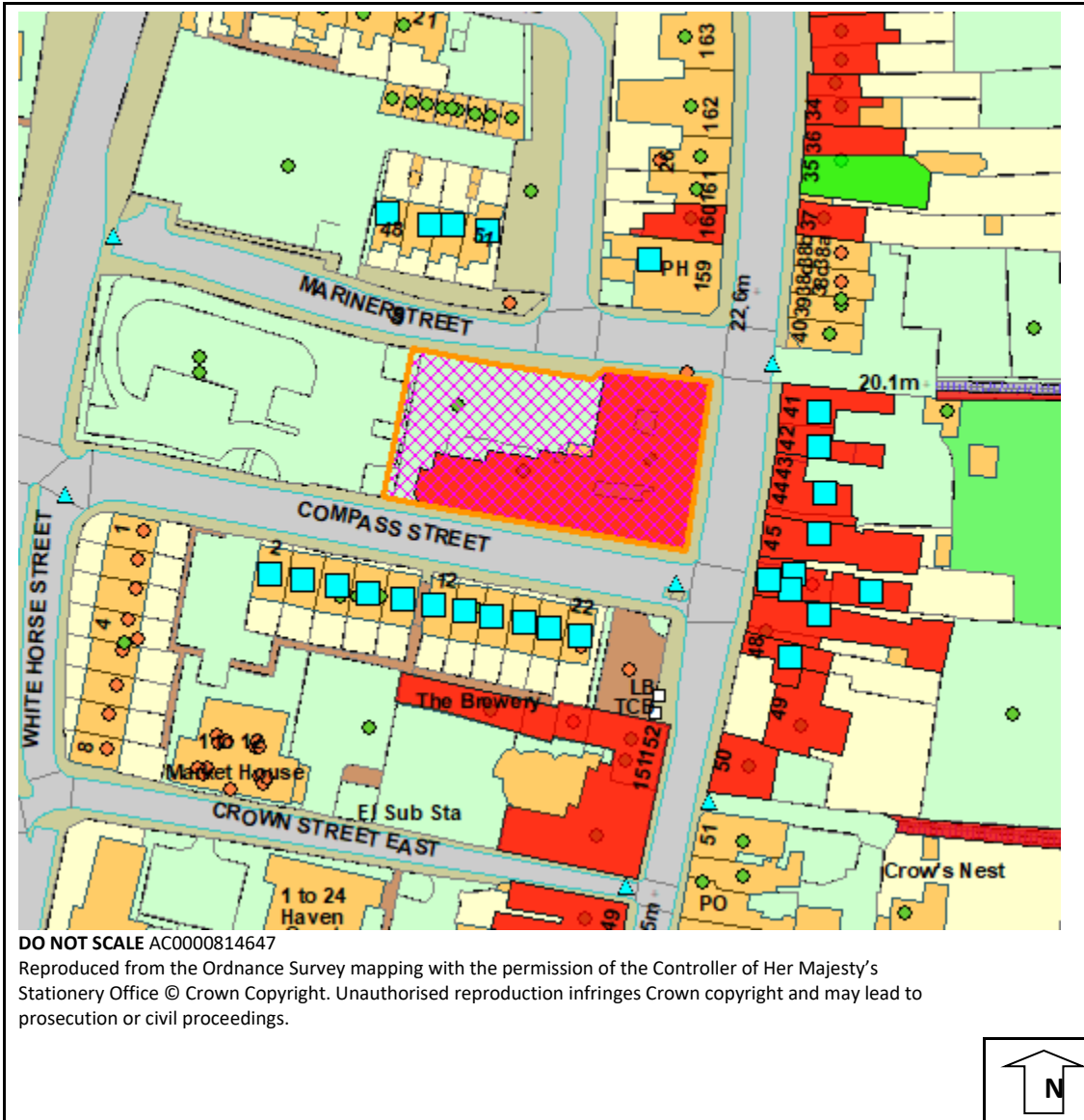
If, during development, contamination not previously identified is found to be present, then no further development shall be carried out until a remediation scheme, detailed how the contamination shall be dealt with, has been submitted to and approved in writing by the local planning authority. Only when evidence is provided to confirm the contamination no longer presents an unacceptable risk, can development continue.

Reason: In the interests of public health and to avoid pollution of the water environment.





Background information

See application reference DC/23/2049/FUL on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support



Committee Report

Planning Committee North - 14 November 2023

Application no DC/23/2050/LBC

Location

Former Town Hall
High Street
Lowestoft
Suffolk
NR32 1HU

Expiry date 18 July 2023

Application type Listed Building Consent

Applicant Lowestoft Town Council

Parish Lowestoft

Proposal Listed Building Consent - Restoration and extension of the Grade II listed Lowestoft Town Hall, to form a heritage hub, cafe, gallery, community event space, Town Council office, and registrar offices.

Case Officer Andrew Martin
andrew.martin@eastsuffolk.gov.uk

1. Summary

- 1.1. Listed building consent is sought for works of alteration and extension of the Former Town Hall, a Grade II listed building, as part of proposals to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices. There is an associated application for planning permission, which seeks to also establish the change of use of the site, under reference DC/23/2049/FUL.
- 1.2. The application has been amended during the determination period in response to officer feedback, with the originally proposed canopy to the principal entrance having been omitted. There are no objections to the application from consultees.
- 1.3. It is considered that the proposed works would have a neutral to beneficial impact on the special interest of the Grade II listed building. The proposal therefore accords with the Development Plan, with no material considerations indicating the application should be determined otherwise, and as such the application is recommended for approval.
- 1.4. The application has been referred to Planning Committee (North) as the Head of Planning and Coastal Management considers the application to be significant due to the Council's previous ownership of the site and the importance of the project for the town of Lowestoft.

2. Site Description

- 2.1. The application site is Lowestoft Town Hall, High Street, Lowestoft. It is a Grade II listed building, located within the North Lowestoft Conservation Area, that was designed by John Louth Clemence and built between 1857 and 1860. The building was subsequently altered between 1869 and 1873, and then rebuilt and extended between 1899 and 1905, with further extensions constructed during the twentieth century.
- 2.2. The Town Hall is a good example of a civic building in the Italianate style with its principal façade on the High Street and Compass Street, dating from 1905, having been composed with aesthetically pleasing proportions and ornate detailing. High quality materials are used across the Town Hall to good effect with the gault brick dressings providing a subtle contrast to the rich red brick, whilst the stone carved detailing is reserved to emphasise the principal entrances.
- 2.3. Internally, the principal rooms of interest are those in the main range facing onto the High Street, including the entrance hall, staircase hall and reception room on the ground floor, and the Council Chamber and Chairman's room on the first floor. These rooms are of particular importance due to the quality of their fixtures and fittings. The Council Chamber is especially significant as the only surviving part of Clemence's original design, and it also contains the original stained glass donated by Sir Morton Peto.
- 2.4. The former New Market Inn Public house, previously incorporated into the Town Hall circa 1870, was specifically excluded from the listing when Historic England amended it in 2018.
- 2.5. The Town Hall is a local landmark within the oldest part of Lowestoft, due to its scale, prominence, campanile-style clock tower, and architectural quality. Its history of civic use contributes very importantly to the landmark status of the building.

3. Proposal

3.1. The application seeks listed building consent for works to the Grade II listed Town Hall building. The works are related to the restoration and extension of the building to facilitate its use as a heritage hub, café, gallery, community event space, Town Council office, and registrar offices. The proposed works are summarised as follows:

- Demolition of existing building elements, including the 1930's archive building.
- Extensions to the building, including the construction of a new events hall with a lightweight, glazed link, and a gallery extension.
- Creation of a new landscaped courtyard garden.
- Opening up and reconfiguration of internal spaces throughout the building, including the Council Chamber undercroft and central yard, to improve legibility, function, accessibility, and circulation.
- Introducing two new lifts, a platform lift, and a number of internal and external ramps.
- Infilling the existing lightwell to the north of the Council Chamber volume, to create a new kitchen.
- Infilling of the basement below the lightwell.
- Removal of the dais in the Council Chamber to create a level floor throughout the space.
- Provision of new services and the creation of service routes, including a ventilation system for the Council Chamber.
- Installation of plant and photovoltaic panels.
- Provision of a new opening in the floor of the second-floor platform within the clock tower, to allow visitors to the first floor to see up into the town which would otherwise be inaccessible.
- Infill of selected openings with new brickwork.
- Restoration of existing windows, including the application of secondary glazing, and where necessary replacement with heritage sliding sash windows with slimline double glazing.
- Installation of awnings to the windows facing onto Compass Street.
- Installation of banners for future signage.
- External repairs, including the repair and repointing of masonry; stripping cement-based render; the repair of leadwork; increase in rainwater goods capacity.
- Repair and replacement of slate to roofs, with the roofs to also be internally insulated.
- Replacement of external modern light fittings with heritage style fittings.

3.2. The development associated with the proposed change of use, extensions, and external alterations is addressed through the concurrent application for planning permission under reference DC/23/2049/FUL.

4. Planning History

4.1. The following planning history is relevant to the application site:

- DC/97/0174/LBC – Listed Building Consent – Erection of a sign to existing window opening – Approved on 07.03.1997
- DC/99/0162/LBC – Listed Building Consent – Internal alterations – Approved on 23.07.1999
- DC/05/0206/LBC – Listed Building Consent – Provision of floodlighting to illuminate flagpole to comply with flag flying protocol – Approved on 24.08.2005
- DC/05/0205/RG3 – Provision of floodlighting to illuminate flagpole to comply with flag flying protocol – Approved on 20.06.2023
- DC/11/0908/FUL – Remove existing remains of disused chimney and extend existing roof covering over area of chimney – Approved on 14.11.2011
- DC/11/0910/LBC – Listed Building Consent – Remove existing remains of disused chimney and extend existing roof covering over area of chimney – Approved on 14.11.2011
- DC/16/2733/DEM – Prior Notification – Demolition of former Council offices and boundary wall to Mariners Street car park – Prior approval required and given on 26.08.2016
- DC/23/2050/LBC – Listed Building Consent – Restoration and extension of the Grade II listed Lowestoft Town Hall, to form a heritage hub, café, gallery, community event space, Town Council office, and registrar offices – Pending determination

5. Consultees

Consultee	Date consulted	Date reply received
Historic England	2 June 2023	23 June 2023

Summary of comments: The full comments from Historic England, which relate to this application for listed building consent and application DC/23/2049/FUL, can be found on public access, via the Council's website, but the main points are summarised as follows:

- Current Town Hall comprises a complex assemblage of structures, the oldest of which is the 1857 Council Chamber and underlying spaces.
- Later nineteenth and early twentieth century extensions to the building comprise a somewhat awkward arrangement of spaces, small offices, staircases and ancillary areas tied together by the unifying façade and central clocktower of its exterior.
- Town Hall is the most recognisable landmark in the north of Lowestoft and represents the historic civic heart of the town centre.
- Town Hall is a Grade II listed building owing to its high level of historic and architectural interest and is a strong contributory feature that lends significance to the North Lowestoft Conservation Area.
- The former Crown Inn public house, which forms the south-west wing of the complex, is excluded from the listing under the provisions of the Enterprise and Regulatory Reform Act 2013.
- Proposals comprise the comprehensive regeneration of the Town Hall and its site into a multi-use complex that, amongst other matters, recaptures its place at the civic heart of the town by incorporating the offices and ceremonial spaces required by Lowestoft's Town Council, and the Registry Offices.
- The uses proposed are the result of extensive public engagement and consultation carried out during the project development phase.

- The project forms one of the key strands to the North Lowestoft Heritage Action Zone, instigated in 2017.
- Removal of later partitions within the building and the creation of an internal ‘yard’ will create an attractive and enticing new area of public circulation where the existing arrangement is cramped, poorly lit and confusing.
- Noted that the modifications proposed affect elements of lesser significance, and overall they would cause minimal harm to the overall significance of the building.
- No concerns regarding the removal of the Mariners Street extension and its replacement.
- Design of new events space is positive, subject to appropriate materials, and will complement the historic core of the Town Hall complex positively.
- Support the creation of an outside garden space.
- Slight concern over the relationship of the northern elevation of the events hall, along with the garden wall, with the road. Currently it is a long blank elevation to the street and represents a missed opportunity to enhance and ‘activate’ the street scene, whilst retaining the enclosure evidently desired for privacy and security.
- Concern over introducing a pond to the courtyard as it would create unnecessary risk for users and takes up a fairly substantial amount of the quite limited outside space.
- Pleased that the former Crown Inn public house is being retained. Mansard roof alteration to accommodate services is considered to be the least intrusive solution.
- Proposal reorders the south and west facing elevations of the former public house quite considerably, resulting in a negative impact which would be reduced if more of the existing openings were to be reused, including the principal entrance door.
- Cooling and heating proposals have been the subject of considerable discussion at the pre-application stage. Considered that the current proposals represent the least harmful option.
- No concerns regarding the installation of solar panels as proposed. The panels would be minimally visible from the street level and would cause no harm to the significance of the Town Hall or Conservation Area.
- Heritage Statement clearly demonstrates the historic precedent for the use of solar shading to the south-facing windows.
- Proposals are an exciting opportunity to bring the vacant Town Hall back into use as a civic and community building that the town could rightly be very proud of and would secure its long-term conservation.
- Whilst there are some elements of the proposal which are considered to be harmful to the listed building’s significance, Historic England are generally supportive of the scheme.
- Local planning authority should carry out the planning balance and consider whether the proposals would be justified or outweighed by the public benefit in their current form, or whether they should be amended.

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	2 June 2023	24 July 2023
Summary of comments: No objections to the proposal. No archaeological conditions recommended subject to the submission of an archaeological evaluation report approved by SCC Archaeology.		

Consultee	Date consulted	Date reply received
Lowestoft Town Council	2 June 2023	29 June 2023
<p>Summary of comments:</p> <p>“Thank you for providing Lowestoft Town Council with this planning application consultation. However, as applicant and landowner, the Town Council will not submit a recommendation.”</p>		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	2 June 2023	23 June 2023
<p>Summary of comments: The full comments from the Council’s Principal Design and Conservation Officer, which relate to this listed building consent application and application DC/23/2049/FUL, can be found on public access, via the Council’s website, but the main points are summarised as follows:</p> <ul style="list-style-type: none"> • Application follows a period of positive pre-application engagement on the proposed development. • List description for the Town Hall was updated in September 2018. • Town Hall is listed for Group Value with a considerable number of listed buildings, particularly nos. 41-42, 43-44, 45 and 56 opposite. • Changes to the Town Hall can have impacts and effects on the significance of other listed buildings identified within the same group. • The submitted Heritage, Design and Access Statement, and the Conservation Management Plan meet the requirements of the NPPF. • Disagree with the conclusion in the submitted information that there would be less than substantial harm to the heritage asset. • It is considered that the effects of the proposal on the significance of the listed building will be neutral to beneficial, leading, overall, to the preservation of its special interest. • Usually suggest including a condition requiring deposition to the Suffolk Historic Environment Record. The Conservation Management Plan includes a 2019 Statement of Significance as one of its appendices. If this can be extracted and deposited at the HER, this would satisfy paragraph 193 of the NPPF alongside as-existing drawings. • Principle of the proposals for the reuse of the Town Hall building are strongly supported. • Repurposing the landmark building will not only conserve the important heritage asset but contribute significantly the revitalisation of the historic core of Lowestoft and its Conservation Area. • The building’s redundancy in 2015 placed it at risk through vacancy, absence of a new use and a change in ownership. • Town Council has been a responsible owner while the future of the building is being determined. • Comprehensive approach taken to the project has been exceptional and is fully supported. • The building is of a scale and character that can no longer support a single use. • Felt strongly that the building is a public building and should retain publicly accessible uses, as proposed. 		

- Relocation of the Town Council into the building, and the inclusion of the registrar office, is a significant benefit of the current proposal. It would retain and maintain the original purpose of the building, which is an important conservation benefit.
- Proposal represents a positive re-use of the building which will retain its civic use, and which will also add further uses that will populate all spaces of the building; provide for its use to extend into evenings and weekends; diversify its range of users; and retain the building in a public use.
- Proposal layout and changes follow on closely from those supported at the pre-application stage.
- Proposals recognise those parts of the building that are most sensitive to change and therefore minimise change to them.
- Equally, the proposals recognise those parts of the building that are least sensitive to change and provide for necessary change to be focussed in these areas.
- Proposals utilise opportunities to introduce permeability into a building layout that is complicated by years of extension and adaptation, and this is strongly welcomed.
- Proposals also make best use of the associated rear courtyard space to the Town Hall through an extension which will enclose it and assist in the repair of the townscape in this area of Mariners Street.
- The proposals cannot repair the damage wrought through demolition to the west of the Town Hall which has harmed its setting and that to the Conservation Area, as well as the local townscape.
- Mix of uses and their arrangement within the layout provide an excellent fit with the building's character and layout.
- The building is considered to be eminently adaptable and the submitted proposals are sensitive to important surviving historic fabric and features.
- Application does not include plans and elevations marked up to indicate demolitions, but, based upon the outcome of the pre-application process and knowledge of the proposals, it is considered that the demolitions, layout changes, and additions proposed are acceptable.
- There will be some minor loss of historic fabric and layout legibility, but the effects arising from the impact of that will be neutral overall on the significance of the building.
- Proposed additions to the building are to the upper level and rear of the former New Market Inn; the rear courtyard to the Town Hall; and to the Mariners Street elevation.
- The former New Market Inn is not part of the listed building, but it is part of the Conservation Area and is identified as a positive unlisted building in the adopted Conservation Area appraisal (2021).
- The New Market Inn building would have its eaves raised and roof replaced with one that hides the plant behind it, in effect a false roof. The building would also be extended northwards. Proposals to the building will increase its bulk and the new roof would result in a rather strange proportion, but there is a substantial functional benefit to the changes, as the roof would hide new plant. The rear extension would be appropriately designed. The changes to the building are considered to be acceptable on that basis.
- Additions to the rear courtyard to the Town Hall, which will house the event hall and ancillary spaces, are acceptable in principle and design. Strongly support the creation and meaningful use of the limited external space to the rear of the Town Hall. Presentation of the rear of the site to Mariners Street, along with the abutting screen wall, is very welcome.
- Event hall design adopts a bold gabled profile with generous glazing and permeability into the courtyard space and is linked to the main building by a lightweight glazed link with expressed timber posts. This part of the proposal will also re-densify the site so that it can

approximate to its original historic character as an urban block. The event hall element is fully supported.

- Replacement gallery building to Mariners Street will reveal its function which is the provision of hanging space. Its design is straightforward and will complement the attractive decorative quality of the part of the Town Hall adjacent to Mariners Street by not competing or detracting from it.
- Front wall of the gallery, along Mariners Street, is designed to appear as a continuation of the screen wall to the new rear courtyard space which connects to the new events space building, and this is an attractive presentation to the street.
- Raised parapet to the roof of the gallery addition will screen plant from public views.
- Ground floor alterations are based upon the significance and sensitivity analysis included within the Conservation Management Plan. Changes to the frontage block are improvements, removing inappropriate, modern interventions in and around the entrance, making the entrance more permeable and understandable for visitors and users. Existing inner courtyard will be enclosed to provide a new internal space in a creative way which enables several positive outcomes in terms of internal connectivity between multiple uses.
- Flank block to Compass Street be adapted to provide enlarged room spaces and/or subdivided to provide ancillary and functional spaces. There are no concerns over the ability of these spaces to accommodate the proposed changes.
- The engraved windows to Compass Street are to be retained, with the side entrance also to be retained for use as a fire escape only.
- Interior of the former New Market Inn will be heavily adapted in terms of its layout and additions. The internal spaces of the building are of no note, with its identified positive contribution to the Conservation Area derived from its external configuration and townscape qualities only, and the effect of these will be largely retained.
- First floor of the Town Hall accommodates the key principal spaces of the building, including the Council Chamber, Chairman's Room, and the Chamber Landing. This sequence of spaces is of the highest importance in understanding the civic purpose of the building and how it was used for over 140 years.
- Council Chamber is pre-eminent space in the building, and it is welcome that the submission acknowledges this importance and retains the sequence of spaces mostly unaltered. The chamber is to be repurposed as a multi-use space for council meetings, talks, weddings, events, concerts, and associated uses. Interventions within the space will be limited to air exchange equipment to support the ventilation strategy for this space, which has suffered from solar gain when in past use, and the removal of the non-historic dais. Retaining and increasing public accessibility to this space is strongly welcomed.
- Supporting plant to the chamber will be annexed to the hidden roofspace above the adjacent replacement gallery.
- A fully glazed roof will topight the new ground floor courtyard infill space, and the existing cellular layout to the flank block is mostly retained as found and adapted to serve as the registry office.
- Proposed first-floor plans show a photovoltaic array to one pitch of the rear gabled courtyard extension, positioned in such a way as to screen them from Mariners Street.
- Principal change to the second-floor relates to the former New Market Inn, with the upwards extension, as already noted, supported.
- The roof plan indicates the new roof form to the former New Market Inn building; the addition of buildings to the rear courtyard space; and the replacement building to Mariners Street. These changes cause no concern.

- The photovoltaic strategy is of note and the Council's advice, contained within the Historic Environment SPD, is for roof-mounted arrays to avoid the principal listed building. In this instance, there are literally no other positions for the arrays to be mounted, in terms of open space or curtilage or secondary buildings. Their accommodation on the listed building can be accepted. It is helpful that the parapet and low-pitched roof design to the front and flank blocks should entirely mitigate the visibility of the arrays from ground-level.
- Principal elevations of the Town Hall will be retained unaltered, except for the proposed gallery addition that will replace the archive building on Mariners Street.
- Existing elevations impart a high degree of value and significance to the building and define its character. They permit the building to be very much read as a late 19th Italianate civic building. The conservative approach demonstrated as part of the application is therefore welcome.
- The new Mariners Street frontage does have a curiously unfriendly character and it is unclear why the events space addition, and attached screen wall, are so relentlessly blank. A more visual permeability into the space would have been preferred.
- The design of the windows to the former New Market Inn building are unsympathetic. It would have been preferable for these windows to have a historic character with the appearance of sliding sash windows to the Compass Street elevation.
- Cannot locate any detail for the proposed canopy over the principal entrance onto the High Street. No evident historic precedent for a canopy or justification for one. It would be preferable for this element of the proposal to be deleted, in order to retain the principal entrance unaltered.
- Other proposed fixtures to the listed building, such as frontage banner signage or lighting, are ephemeral in nature and are not cause for any concern. It is reasonable for the building to be able to highlight its activities and offer, and we need to be able to facilitate a way to do that.
- Proposals for improving the internal and external accessibility to all parts of the building are strongly supported, including the physical measures proposed to implement the access strategy.
- Ventilation strategy for the Council Chamber was discussed in detail during the pre-application process. A balance was sought between external and internal impacts of the plant and equipment needed, and a conclusion was reached that managed internal impacts would provide the least harmful outcome. The proposed array of nozzles at high level to the east wall of the chamber do have the potential to be visually intrusive. It is considered, however, that their design can be enhanced such that they can somehow integrate with the decorative scheme in the room once the details are provided at the discharge of condition stage.
- Proposed plant is mostly accommodated in the new build elements of the proposal.
- Sustainability strategy set out within the Heritage, Design and Access Statement is supported. The improved energy performance measures that are set out, such as secondary glazing, addition of insulation, addition of PV panels, and the addition of solar shading, are accepted measures for improving historic buildings without harm to their significance.
- It is welcome to see a specific strategy for windows within the submitted Heritage, Design and Access Statement. This includes the restoration and protection of stained glass windows; retrofitting of main street windows with slimline sealed units; restoration and retention of etched glass windows, with secondary glazing to be added, facing onto Compass Street; replacement of other windows which do not face onto the street with

slimline sealed units. Window strategy proposed demonstrates a sound conservation approach.

- Details have been submitted which essentially provide a schedule of how each window will be treated in terms of retention, modification, or replacement. This level of detail is welcomed and obviates the need for a schedule to be required by condition.
- Proposed addition of external window blinds, as illustrated in some of the submitted visualisations available within the Heritage, Design and Access Statement, is a delightful idea.
- The Heritage, Design and Access Statement includes a brief strategy for repairs to the building. Some inconsistency identified between the brief strategy and the submitted drawings. This specifically relates to the proposed use of Canadian slate. The approach outlined can be supported in principle, but a condition is recommended to require a sample of the Canadian slate for approval.
- Any aspects of the proposal not commented on can be taken to mean that they are not objectionable.
- The applications will preserve the special interest and group value of the Grade II listed Lowestoft Town Hall and preserve and enhance the character and appearance of the North Lowestoft Conservation Area free from harm, in conformance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- Relevant tests of the NPPF at paragraphs 201 and 202 are not engaged.
- Proposals would meet the requirements of paragraph 197 of the NPPF.
- The scheme will conserve and revitalise this landmark building to its benefit and that of the Conservation Area and town of Lowestoft.
- Concluded that the applications are supported subject to recommended conditions.

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	2 June 2023	12 October 2023
Summary of comments: No comments.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	2 June 2023	No response
Summary of comments: No response received.		

6. Publicity

6.1. The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	9 June 2023	30 June 2023	Beccles and Bungay Journal

Category	Published	Expiry	Publication
Conservation Area	9 June 2023	30 June 2023	Lowestoft Journal

Site notices

General Site Notice
Reason for site notice: Conservation Area; Listed Building
Date posted: 22 June 2023
Expiry date: 13 July 2023

7. Planning policy

National Planning Policy Framework 2023 (NPPF)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

North Lowestoft Heritage Action Zone Design Guide Supplementary Planning Document (East Suffolk Council, Adopted July 2020)

8. Planning Considerations

- 8.1. The Council has a statutory duty, under s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, to have special regard to the desirability of preserving the significance of listed buildings.
- 8.2. Policy WLP8.37 requires development proposals to conserve or enhance heritage assets and their settings. The adopted Historic Environment SPD provides further guidance on a range of topics including conservation areas, listed buildings and non-designated heritage assets, and sustainable construction and renewable energy.
- 8.3. Chapter 16 of the NPPF which recognises the importance of heritage assets and the subsequent importance of sustaining and enhancing their significance. For instance, paragraph 189 of the NPPF is explicit that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 8.4. Moreover, paragraph 197 of the NPPF states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and

enhancing the significance of heritage assets, alongside recognising the positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality. It concludes by emphasising the desirability of new development making a positive contribution to local character and distinctiveness.

- 8.5. Paragraph 199 of the NPPF indicates that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation irrespective of whether any potential harm is considered to be substantial or less than substantial. Meanwhile, paragraph 200 of the NPPF affirms that any harm to, or loss of, the significance of a designated asset, should require clear and convincing justification.
- 8.6. The numerous internal and external works proposed, as summarised in section 3 of this report, form part of a comprehensive strategy to restore and repurpose the Grade II listed Town Hall. This includes extending, altering, and repairing the building. Various elements of the proposals also require planning permission, hence the concurrent planning application under reference DC/23/2049/FUL.
- 8.7. The proposed works have been the subject of meaningful pre-application engagement, and this is reflected in the quality of the submission with the approach taken by the Applicant and project team commended as exceptional by the Council's Principal Design and Conservation Officer.
- 8.8. In terms of the proposed extensions and external alterations, these have been designed to a high standard and would utilise architectural details and materials sympathetic to the architectural interest and significance of the listed building. For instance, traditional red brick is proposed for all new external walls; slate will be used for the event hall roof; plain clay tile will be used for the former New Market Inn building; and natural copper will be used for the roof finish of the lightweight, glazed structure that links the event hall to the existing building.
- 8.9. Similarly, where external repairs/replacements are proposed to the brickwork, windows, and roofs, the selected details, materials, and finishes have been carefully considered to ensure that the resulting appearance is cohesive with the existing character and appearance of the Town Hall.
- 8.10. The proposed strategy for windows is of particular note and sets out that the stained glass windows will be restored and protected externally with secondary glazing; windows facing onto the main streets will be retrofitted within slimline sealed units; the windows facing onto Compass Street that have etched glass will be restored and retained, with secondary glazing added; and the windows that do not face onto the street and do not fall within any of the other aforementioned categories will be replaced with slimline sealed units. In addition, external window blinds are proposed to the south-facing windows which look onto Compass Street. The accompanying 'Proposed Treatment of Existing Windows' drawing provides a detailed schedule of how each individual window will be treated in terms of retention, modification or replacement.
- 8.11. Turning to the internal works, the proposals are predicated on the significance and sensitivity analysis included within the submitted Conservation Management Plan (CMP). The CMP highlights those areas that can be adapted for varying levels of intervention and change, and other areas that should be retained in their current form due to the value of

their contribution to the significance of the listed building. Throughout the building improvements are proposed to the internal layout configuration. Inappropriate modern interventions are to be removed in favour of greater permeability, legibility, and accessibility. This includes the insertion of two lifts, a platform lift, and a number of internal and external ramps as part of the strategy to improve accessibility to all parts of the building.

- 8.12. On the first floor, the significance of the Council Chamber, Chairman's Room, and Chamber Landing are left mostly unaltered, in recognition of the fact that they are of the highest importance when it comes to understanding the civic purpose of the building and how it was used for over 140 years. This approach is strongly supported and will retain and increase public accessibility to the sequence of spaces.
- 8.13. As part of the sustainability and ventilation strategy, photovoltaic panels and plant are proposed to be accommodated on the building's various rooftops. The Historic Environment SPD provides guidance on roof-mounted solar arrays and seeks to discourage their installation on the principal listed building. However, in this instance, there are no other suitable positions, such as open space or curtilage or secondary buildings, for the arrays to be mounted. Consequently, the accommodation of the photovoltaic panels on the listed building can be accepted. It is also helpful that the proposed parapet and roof forms have been designed to entirely mitigate the visibility of the arrays from ground level. Likewise, plant associated with the ventilation strategy would be accommodated on or within the new build elements of the proposal, thereby minimising the impacts on the historic fabric of the building, as well as limiting visibility.
- 8.14. Inside the Council Chamber the ventilation strategy requires the use of nozzles to facilitate air exchange. The nozzles do have the potential to be visually intrusive, however, the Council's Principal Design and Conservation Officer considers that their design can be enhanced to integrate them into the decorative scheme for the room at the discharge of condition stage.
- 8.15. The Principal Design and Conservation Officer concludes their response by stating that the proposals effects on the significance of the listed building will be neutral to beneficial, leading, overall, to the preservation of its special interest.
- 8.16. Historic England has also been consulted on the proposals due to its previous involvement at the pre-application stage following the recently completed North Lowestoft Heritage Action Zone (HAZ) project, in which it was a key partner, rather than as a statutory requirement. Historic England's response outlines support for the application on heritage grounds, albeit some concern is raised regarding the treatment of the proposed elevation to Mariner Street, and the inclusion of a pond within the rear courtyard.
- 8.17. Despite the minor reservations raised by Historic England, officers are in agreement with the Council's Principal Design and Conservation Officer and take the view that the proposals as a whole would have a neutral to beneficial impact upon the Grade II listed building.
- 8.18. Therefore, with regards to the statutory tests, the proposed works will preserve the special interest and group value of the Grade II listed Lowestoft Town Hall in accordance with the requirements of s.66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Subsequently, the proposals would comply with Policy WLP8.37 and the objectives contained within the NPPF.

- 8.19. Due to the absence of harm identified to the significance of the listed building, the relevant tests at paragraphs 201 and 202 of the NPPF are not engaged. Notwithstanding this, even if harm were to be identified to the heritage asset, it would be 'less than substantial' and the extensive public benefits arising from the proposed restoration and repurposing of the landmark building would significantly and demonstrably outweigh any such harm.

9. Conclusion

- 9.1. To conclude, the proposed works would sympathetically restore and repurpose the Grade II listed Lowestoft Town Hall. Significant public benefits would arise from the proposals which would revitalise and sustain the landmark building, so that it can be enjoyed by existing and future generations. Consequently, the proposed works would preserve the special interest of the Grade II listed Lowestoft Town Hall in accordance with the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Development Plan, and the NPPF.

10. Recommendation

- 10.1. Listed building consent be granted, subject to conditions.

11. Conditions

1. The development hereby consented shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 18 of the Act (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with the following drawings:

- 194_HAT_PL_P01 Rev. PL (Location Plan and Block Plan)
- 194_HAT_PL_P10 Rev. B (Proposed Ground Floor Plan)
- 194_HAT_PL_P11 Rev. A (Proposed First Floor Plan)
- 194_HAT_PL_P12 Rev. A (Proposed Second Floor Plan)
- 194_HAT_PL_P13 Rev. A (Proposed Roof Plan)
- 194_HAT_PL_P14 Rev. PL (Proposed Landscape Plan)
- 194_HAT_PL_P15 Rev. A (Proposed North and South Elevations)
- 194_HAT_PL_P16 Rev. A (Proposed East and West Elevations)
- 194_HAT_PL_P17 Rev. PL (Proposed Sections A and B)
- 194_HAT_PL_P18 Rev. PL (Proposed Sections C, D, and E)
- 194_HAT_PL_P19 Rev. PL (Proposed Treatment of Existing Windows)
- 194_HAT_PL_P20 Rev. PL (Council Chamber Service Penetrations)
- 5170-MOM-XX-XX-DR-C-62000 Rev. P03 (Proposed Drainage Layout)
- J7182-MXF-ZZ-01-DR-M-20100 Rev. P3 (Ventilation Level 01 Layout)

Reason: For the avoidance of doubt as to what has been approved.

3. No development or works shall commence until a comprehensive schedule of all external repairs to the building have been submitted to and approved in writing by the local planning authority. The repairs shall be carried out in full accordance with the approved details and any amendments to the approved schedule must first be agreed in writing with the local planning authority before that work takes place.

Reason: This is a pre-commencement condition in the interests of the conservation of the historic structure and fabric of the building.

4. No development or works shall commence until a conservation strategy for retained key features (including the decorative encaustic floor tiling to entrance areas; radiator screens to the Council Chamber; entrance staircase and stairhall) has been submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: This is a pre-commencement condition in the interests of the conservation of the historic structure and fabric of the building.

5. Prior to the commencement of any development or works, email confirmation of the deposition of the Statement of Significance (Alan Baxter Ltd, 2019), and all of the as-existing plans and elevations, to the Suffolk Historic Environment Record (HER), shall be submitted to the local planning authority.

Reason: This is a pre-commencement condition to ensure the proper recording of the historic building.

6. Prior to the replacement of any windows, details of the replacement windows, showing the appearance, materials, glazing type, ironmongery, and finish, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

7. Prior to the restoration of any stained glass windows, a detailed restoration strategy for the stained glass windows and associated secondary glazing shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

8. Prior to the installation of any new internal doors, representative new internal door details, showing the appearance, materials, ironmongery, and finish, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

9. Prior to the installation of any banner signage, representative details of the banner signage, including method of fixing, shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.

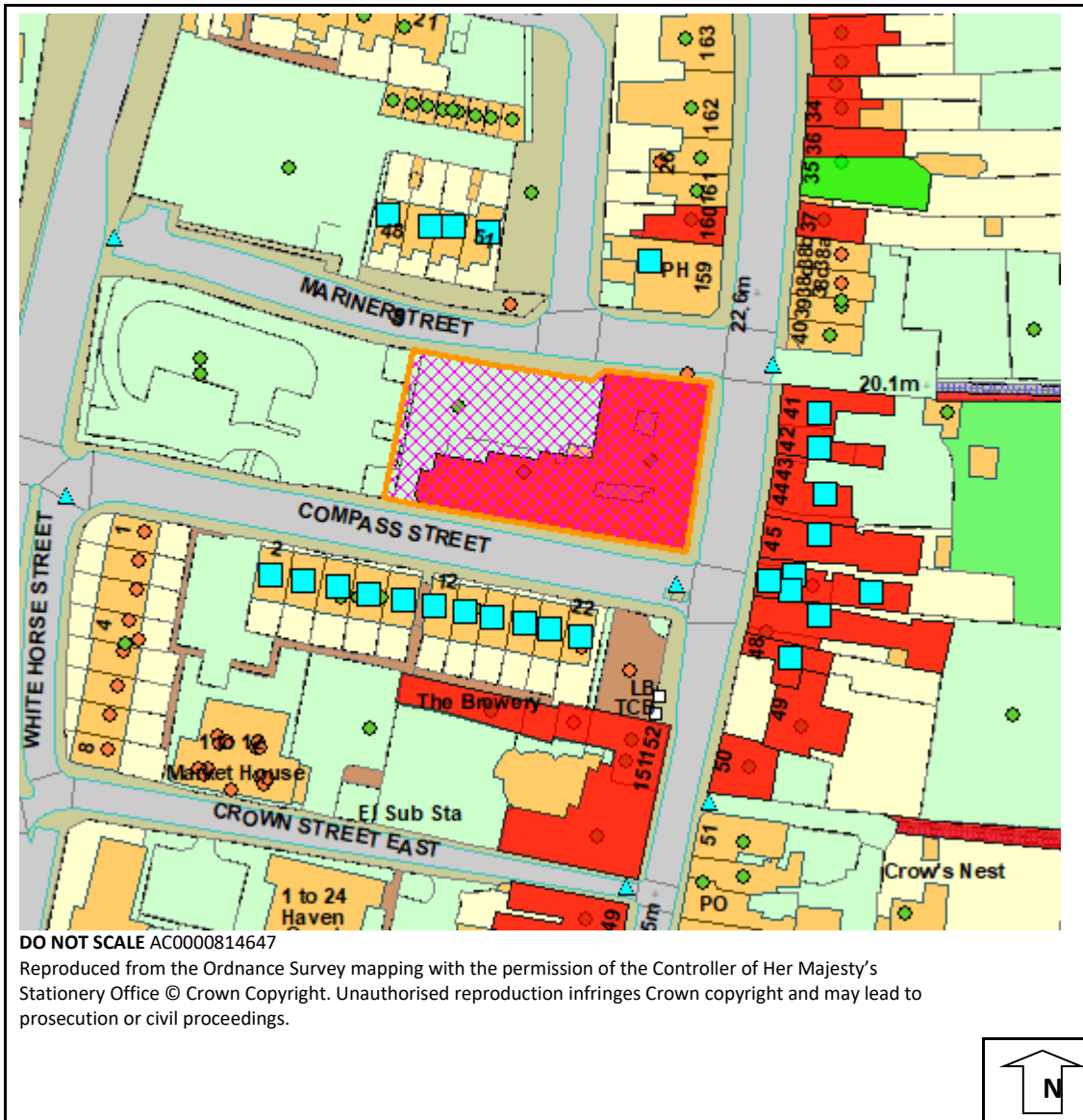
10. Prior to the commencement of any works within the Council Chamber, a detailed design for the proposed high-level ventilation nozzles within the Council Chamber shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in full accordance with the approved details.

Reason: In the interests of the conservation of the historic structure and fabric of the building.





12. Background information

- 12.1. See application reference DC/23/2050/LBC on [Public Access](#)

Map



Key

-  Notified, no comments received
-  Objection
-  Representation
-  Support

Committee Report

Planning Committee North – 14 November 2023

Application no DC/22/4746/FUL

Location

35 King Georges Avenue
Leiston
Suffolk
IP16 4JX

Expiry date 5 February 2023

Application type Full Application

Applicant Mr And Mrs Clay

Parish Leiston Cum Sizewell

Proposal Construction of one and a half storey two bedroom dwelling

Case Officer Steve Milligan

07867 158060

steve.milligan@eastsuffolk.gov.uk

1. Summary

- 1.1 This a full planning application is for the erection of a two bedroom, one and a half storey dwelling on a site to the rear of 35 King Georges Avenue, Leiston.
- 1.2 The site was subject of outline permission for the erection of one single storey dwelling in 2020 under DC/20/3958/OUT. Access was agreed under DC/20/3958/OUT and was via an unmade track which serves an area of allotments. The track is understood to be in the ownership of Leiston Town Council.
- 1.3 The application was presented to the referral panel on 24 October 2023 as officers were 'minded to' approve the application, contrary to the Town Council's recommendation of refusal. There was a split decision from the Panel but the Head of Planning Services determined that the application would be determined by Planning Committee because of the backland location of the plot and objection to use of the access by the Town Council.

2. Site Description

- 2.1 The application site consists of the rear garden to no. 35 that is proposed to be subdivided and provide one additional dwelling. To the north and west of the site is a track that connects the allotments and rear of neighbouring properties to King Georges Avenue and Charles Adams Close. There is a 20th Century housing estate to the north (Charles Adams Close), comprising single storey terraces of a standardised size, form, use of materials and orientation (with the principal elevations fronting South or East).
- 2.2 The rear garden of the existing dwelling contains a pine tree, close to the southern boundary of the plot.
- 2.3 Certificate B has been signed with notice served on Leiston Town Council as the access track is not in the applicant's ownership.
- 2.4 The site is located within the Leiston physical limits (settlement boundary), as defined in the Neighbourhood Plan. The host dwelling is a two-storey detached dwelling.
- 2.5 Outline Application was granted for 'Use of land for the erection of a single-storey dwelling' under DC/20/3958/OUT in Dec 2020. The application was approved under delegated powers following consideration by the Referral Panel.

3. Proposal

- 3.1 The proposal is for the erection of a one a half storey, two bedroomed dwelling. Access would be via a track from King Georges Avenue with two parking spaces identified on the site for the proposed dwelling and two spaces for 35 King George's Avenue.
- 3.2 The scheme includes the removal of the existing pine tree but involves replacement trees on the western and southern sides of the proposed dwelling.

4. Consultees

Parish/Town Council

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	16 December 2022	11 January 2023
<p>Summary of comments: Leiston-cum-Sizewell Town Council recommends rejection of this application and makes the following comments:</p> <p>Council rejected an earlier Outline Planning application and believe the reasons for refusal remain:</p> <p>Access Poor Access and nature of this back garden development is not supported. It severely reduces the amenity, green space and parking of 35 King George Avenue (a more substantial property). The entrance onto King George Avenue is one of the worst visibility of any junction onto a main road in Leiston.</p>		

Statutory consultees

Consultee	Date consulted	Date reply received
SCC Highways Department	16 December 2022	13 January 2023
<p>Summary of comments: Conditions recommended regarding visibility; surfacing of first 10m; sw drainage; bin storage/presentation; EV infrastructure; parking/manoeuvring.</p>		

Non statutory consultees

Consultee	Date consulted	Date reply received
Ward Councillor	N/A	19 January 2023
<p>Summary of comments: The current proposal is larger in scale than DC/20/3958/OUT. The site abuts bungalows and design should be a bungalow. On street parking makes the use of the access dangerous. Current water runoff causes sand build up on KG Avenue.</p>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	16 December 2022	22 December 2022
<p>Summary of comments:</p>		

There is a public footpath adjacent to the site. The RoW must remain open, unobstructed and safe for public to use at all times, including throughout the construction period.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	16 December 2022	23 December 2022
Summary of comments: Condition recommended regarding discovery of unexpected contamination.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	16 December 2022	5 January 2023
Summary of comments: No objection. RAMS payment required.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	N/A	28 December 2022
Summary of comments: Access for fire fighting vehicles must comply with Building Regulations.		

Reconsultation consultees

Consultee	Date consulted	Date reply received
Leiston-cum-Sizewell Town Council	8 August 2023	No response
Summary of comments:		

5. Publicity

None

Site notices

General Site Notice

Reason for site notice: New Dwelling

Date posted: 5 January 2023

Expiry date: 26 January 2023

6. Planning policy

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.3 - Environmental Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

PL1 - Leiston Town Physical Limits Boundary (Leiston Neighbourhood Plan - 'Made' March 2017)

TM3 - Residential Parking Standards (Leiston Neighbourhood Plan - 'Made' March 2017)

National Planning Policy Framework 2023

7. Third Party Representations

7.1 None received.

8. Planning Considerations

Principle of Development

- 8.1 The site is located within the settlement boundary for Leiston which is identified as a Market Town in the Local Plan. Inside the Settlement Boundaries, there is a policy presumption that development is acceptable in principle, subject to consideration of other relevant policies of the development plan.
- 8.2 There are no policies in the Neighbourhood Plan relating to infill development so the principal policy consideration is Local Plan Policy SCLP5.7, where infill or garden development is generally supported where:
- a) The scale, design and materials would not result in harm to the street scene or character of the area;
 - b) The proposal is well related in scale and design to adjacent properties, including the design of curtilage areas, parking and access, and incorporates landscaping where appropriate to mitigate any potential impacts or to enhance the appearance of the site;
 - c) There would not be significant harm to residential amenity of occupants of either the existing or proposed dwellings;

- d) Existing and proposed dwellings have sufficient curtilage space; and
- e) The proposals are otherwise in accordance with the housing policies of the Local Plan.

8.3 The site was considered acceptable in principle for a single storey dwelling in 2020 and this permission remains extant. This established the use of the track and driveway to serve a dwelling. The Development Plan, nor the site and its surroundings have changed since this previous approval and therefore this position remains.

Highways Safety, Vehicular Access and Parking Provision

8.4 The highways officer has looked at the details including the access to the highway and parking provision and has no objections, subject to conditions. It should be noted that the track serves the allotments and also existing parking provision for some of the properties on King Georges Avenue. The parking provision for the proposed dwelling and for the host dwelling are considered appropriate and is not considered to result in detriment to highway safety, nor represent a significant intensification of use of the track network given the existing usage.

8.5 Although it was previously considered disproportionate to add some of the suggested highways conditions, on reflection, increasing the intensity of use of an access would often require improvements and therefore it is reasonable and necessary to include the highways authority conditions requiring the first ten metres of the access to be properly surfaced, surface water discharge arrangements and bin presentation areas to be provided. These conditions are therefore now recommended to be included on any permission granted.

8.6 Adequate visibility can be achieved given the wide pavement and straightness of the road and the extent of the visibility splay is within highway land such that the condition for the visibility and restriction on permitted development rights within this is is not considered necessary. Providing electric vehicle infrastructure is a requirement of Building Regulations and therefore again is not included within the recommendation.

Design and impact upon residential amenity

8.7 The dwelling is located beside the track to the allotments (west) to the rear of no. 35, and as such will not have a street frontage on King Georges Avenue. To the north/north-east are properties in Charles Adams Close. Charles Adams Close is an estate comprising solely bungalows, some of which face south towards the track to the east and arranged around open green spaces. The properties in King Georges Avenue are two storey and orientated north-south.

8.8 The proposed dwelling lies between the two-storey dwellings in King George's Avenue and single-storey dwellings in Charles Adams Close. The one and a half storey form and generally modest size will provide an acceptable transition in scale between the two.

8.9 A main issue therefore is in respect of outlook and impact upon the privacy of the neighbour to the west from the first floor bedrooms in the proposed dwelling. The dwelling is designed to be single aspect at first floor level with two west facing dormer windows. It is set back from the track by approx. 6m. The access track includes a wide verge on its western side with the rear garden of 29 King George's Avenue beyond. At the end of the garden of No 29 is a large shed and the proposed first floor bedrooms will look

onto the roof of this shed; down the track to the rear which serves the rear of properties to the west and over the allotments to the north-west.

- 8.10 It will be possible to look into the main garden of 29, but there is a distance of approx. 20m to the fence and given the distance and angle, in this urban context, impact upon privacy will not be so severe so as to fall contrary to SCLP5.7 or SCLP11.2. There have been no comments received from this neighbour.
- 8.11 The proposed dwelling will have an outlook from its ground floor kitchen/living room to its west facing front garden and south facing private garden and there will be adequate amenity space for this property as well as natural light. The westerly and southerly aspects will provide good access to light/sunlight and represent an improvement for the proposed occupiers compared to the scheme illustrated under DC/20/3958/OUT.
- 8.12 The scheme will result in the loss of a semi-mature pine tree which conflicts with the proposed car parking and relocated outbuilding for no. 35. The tree is not protected and not of a quality which would justify the serving of a TPO and the refusal of planning permission. The scheme includes nine replacement trees, Silver Birch and Ornamental Cherry, which are more suitable for a close relationship to the dwelling and will, over time, provide adequate replacement for the tree to be removed.
- 8.13 The dwelling would help to provide a smaller unit of accommodation for which there is a recognised shortfall at a district and local level.

Ecology and Suffolk RAMS

- 8.14 The site is within the Suffolk Coast RAMS Zone of Influence (Zone B - within 13km of the Minsmere-Walberswick SPA/SAC/Ramsar, Sandlings SPA, Alde-Ore Estuary SPA/Ramsar, Orfordness-Shingle Street SAC, and therefore a financial contribution to the scheme (or equivalent mitigation identified via a Habitats Regulations Assessment (HRA)) is required in order to mitigate in-combination recreational disturbance impacts on habitats sites (European designated sites). The required contribution was secured under DC/20/3958/OUT and has been transferred to the current application, to accord with SCLP10.1.

9. Conclusion

- 9.1 The principle for a dwelling in this location is considered to be suitable as it is in a sustainable location, within the settlement boundary of Leiston, a market town which has good links and range of services and facilities to accommodate such development, which accords with Neighbourhood Plan policy PL1 and Local Plan policies SCLP3.2, SCLP3.3 and SCLP5.7 and provisions within the NPPF.
- 9.2 The proposal is not considered to adversely impact residential amenity or the character of this part of the town to an extent that would warrant refusal.

10. Recommendation

- 10.1 Approve, subject to controlling conditions.

Conditions:

1. The development hereby permitted shall be begun within a period of three years beginning with the date of this permission.

Reason: In accordance with Section 91 of the Town and Country Planning Act 1990 as amended.

2. The development hereby permitted shall be carried out in accordance with the following approved plans/reports:

Drg No: 2240 PP10 received 02.12.2023

Reason: For the avoidance of doubt as to what has been considered and approved.

3. The use shall not commence until the area(s) within the site shown on drawing no. PP 10 for the purposes of loading, unloading, manoeuvring and parking of vehicles has been provided and thereafter the area(s) shall be retained, maintained and used for no other purposes.

Reason: To ensure that sufficient areas for vehicles to be parked are provided in accordance with Suffolk Guidance for Parking (2019) where on-street parking and or loading, unloading and manoeuvring would be detrimental to the safe use of the highway.

4. Before the development is first occupied, details of the areas to be provided for the secure, covered and lit cycle storage including electric assisted cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter and used for no other purpose.

Reason: To promote sustainable travel by ensuring the provision at an appropriate time and long term maintenance of adequate on-site areas and infrastructure for the storage of cycles and charging of electrically assisted cycles in accordance with Suffolk Guidance for Parking (2019).

5. Prior to the development hereby permitted being first occupied, the existing onto the highway shall be properly surfaced with a bound material for a minimum distance of 10 metres measured from the nearside edge of the metalled carriageway, in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure construction of a satisfactory access and to avoid unacceptable safety risks arising from materials deposited on the highway from the development.

6. Before the development is commenced, details shall be submitted to and approved in writing by the Local Planning Authority showing the means to prevent the discharge of surface water from the development onto the highway including any system to dispose of the water. The approved scheme shall be carried out in its entirety before the access is first used and shall be retained thereafter in its approved form.

Reason: To prevent hazards caused by flowing water or ice on the highway.

7. Before the development is commenced details of the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out in its entirety before the development is brought into use and shall be retained thereafter for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting the said Order, no development of any kind specified in Parts 1 & 2 of Schedule 2 of the said Order shall be carried out unless otherwise agreed in writing with the local planning authority. (Parts 1 & 2, refer to external alterations and extensions, hard surfacing, means of enclosure etc.).
Reason: In order that the local planning authority may retain control over this particular form of development in the interests of amenity and the protection of the local environment

9. The materials and finishes shall be as indicated within the submitted application and thereafter retained as such.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity

10. The approved scheme of landscape works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as the local planning authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter and shall be retained and maintained.

Reason: To ensure that there is a well laid out landscaping scheme in the interest of visual amenity

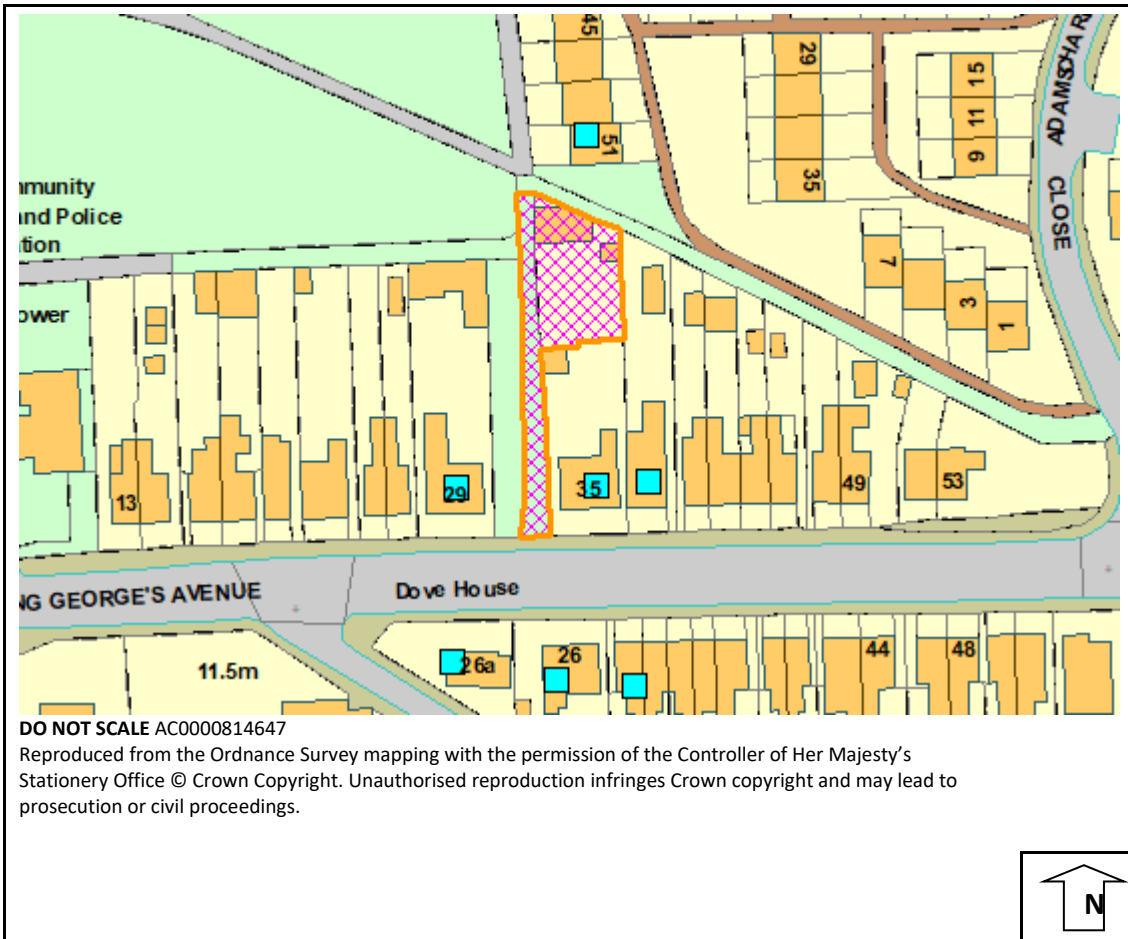
Informatives:

1. The Local Planning Authority has assessed the proposal against all material considerations including planning policies and any comments that may have been received. The planning application has been approved in accordance with the objectives of the National Planning Policy Framework and local plan to promote the delivery of sustainable development and to approach decision taking in a positive way.

Background information

See application reference DC/22/4746/FUL on [Public Access](#)

Map



Key

- Notified, no comments received
- Objection
- Representation
- Support



Committee Report

Planning Committee North - 14 November 2023

Application no DC/23/3038/FUL

Location

Sole Bay Fish Company
22E Blackshore
Southwold
Suffolk
IP18 6ND

Expiry date 18 October 2023

Application type Full Application

Applicant Sole Bay Fish Company

Parish Southwold

Proposal Temporary application - Reinstate part building following fire damage for continuation of business

Case Officer Jamie Behling
07919 303788
Jamie.Behling@eastsoffolk.gov.uk

1. Summary

- 1.1. The proposed development seeks permission to reinstate part of the building following fire damage, to enable continuation of the business. This is a partial re-instatement, the wider area of the fire damage and surrounding sites will be subject to future planning applications.
- 1.2. The proposal is acceptable and can be approved.
- 1.3. The application is presented to the Planning Committee (North) due to the proposal being on land owned by East Suffolk Council.

2. Site Description

- 2.1. Sole Bay Fish company (otherwise known as 22E Blackshore) on Southwold harbour is a fish monger/fish restaurant and takeaway business. It lies within the Southwold Conservation Area, Area of Outstanding Natural Beauty (AONB) and the Southwold Neighbourhood Plan Area. The site lies on the northeast side of the River Blyth with a seating area for the restaurant and a public right of way in front of it. The site also lies within flood zone 3. The site recently suffered from extensive fire damage which caused a significant part of the building to be damaged.

3. Proposal

- 3.1. The proposal seeks to temporarily reinstate part of the building which is salvageable by re-erecting the walls and roof to make good what can be, so that the business can carry on their day-to-day trading within a securely enclosed space. This is to provide time for the business to agree formal plans with the Council on how to replace what has been lost. There is a wider masterplan approach to this area following the fire, but this application has come forward in isolation as a limited part of the wider restoration plans that will be subject of future application/s.

4. Consultees

Consultee	Date consulted	Date reply received
Southwold Town Council	13 September 2023	17 October 2023
<i>"The Town Council supports the suggestions from Suffolk Fire regarding access/ firefighting facilities/ water/ sprinkler systems/ etc.</i>		
<i>Other matters within the application are agreed by the Town Council"</i>		

Consultee	Date consulted	Date reply received
SCC Rights Of Way	13 September 2023	15 September 2023

Summary of comments:
No objections.

Consultee	Date consulted	Date reply received
SCC Highways Department	13 September 2023	18 September 2023

Summary of comments:
No objections.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	13 September 2023	No response

Summary of comments:
No comments received.

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	13 September 2023	14 September 2023

Summary of comments:
No objections, standard advice.

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	13 September 2023	20 September 2023

Summary of comments:
Comments included within officers considerations.

Third Party Representations

No third-party representations received.

5. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	8 September 2023	29 September 2023	Lowestoft Journal

Category	Published	Expiry	Publication
Conservation Area	8 September 2023	29 September 2023	Beccles and Bungay Journal

Site notices

General Site Notice

Reason for site notice: Conservation Area

Date posted: 14 September 2023

Expiry date: 5 October 2023

6. Planning policy

National Planning Policy Framework 2023 (NPPF)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.37 - Historic Environment (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP6.2 - Southwold Harbour (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

SWD6 - Design (Southwold Neighbourhood Plan, 'Made' February 2022)

Historic Environment Supplementary Planning Document (East Suffolk Council, Adopted June 2021)

7. Planning Considerations

Visual Amenity, Street Scene and Landscape

- 7.1. The proposed works will see the walls and roofs replaced within the footprint of the original building in order to secure and enclose the remaining part of the restaurant seating area and takeaway area. It will be finished in timber ship lap boarding stained black and either red pantiles, roof felt, or steel profiled roofing to match what has been lost.
- 7.2. The footprint will be greatly reduced from what was originally in place and on a temporary basis in order for the business to remain open whilst a formal replacement is discussed with the Council.
- 7.3. The alterations will fit in well with the surrounding appearance of the remaining buildings and will lead to no harm to the street scene or the visual amenity of the area. A temporary fence and gate are also proposed along the frontage of the road covering the section of the building which received fire damage in order to screen it from views and provide further security. This is also proposed to be in matching black timber boarding. The side and rear of the damaged area will retain the Heras fencing which is already in place.
- 7.4. Overall, the temporary proposal would help to reduce the visibility of the damaged section of the building whilst providing the business the ability to continue trading until a permanent solution is found. The proposal would preserve the character of the Conservation Area and the AONB and would be a suitable temporary solution in order for the business to continue trading through the autumn and winter period.

Residential Amenity

- 7.5. There are no neighbours directly adjacent to the proposed works and therefore the minor alterations would not harm anyone's amenity, either through loss of light, overlooking or oppression.

Flooding

- 7.6. The site falls within flood zone 3; however due to the nature of the proposal it is not considered to require a flood risk assessment as the use is proposed to continue as it currently is and there is no additional floor space created.

8. Conclusion

- 8.1. The design is acceptable, preserving the visual amenity of the area and the character of the Conservation Area. As noted above there is no significant impact on neighbour's amenity, therefore development is considered to comply with the policies listed above. As a limited re-instatement it is not considered to compromise wider re-instatement plans which East Suffolk is seeking to guide.

9. Recommendation

- 9.1. The application is recommended for Approval.

Conditions:

1. This permission shall expire three years (36 months) from the date of this consent, by which date 'The temporary walls and roof' hereby permitted shall have been removed from the site and the land reinstated to its former condition within a further 28 days, unless prior to that date planning permission is renewed or a new permission is begun.

Reason: The structures are unsuitable for permanent consent by virtue of a more detailed scheme needing to be agreed.

2. The development hereby permitted shall be completed in all respects strictly in accordance with 3086.23.2B received 10/10/2023, for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

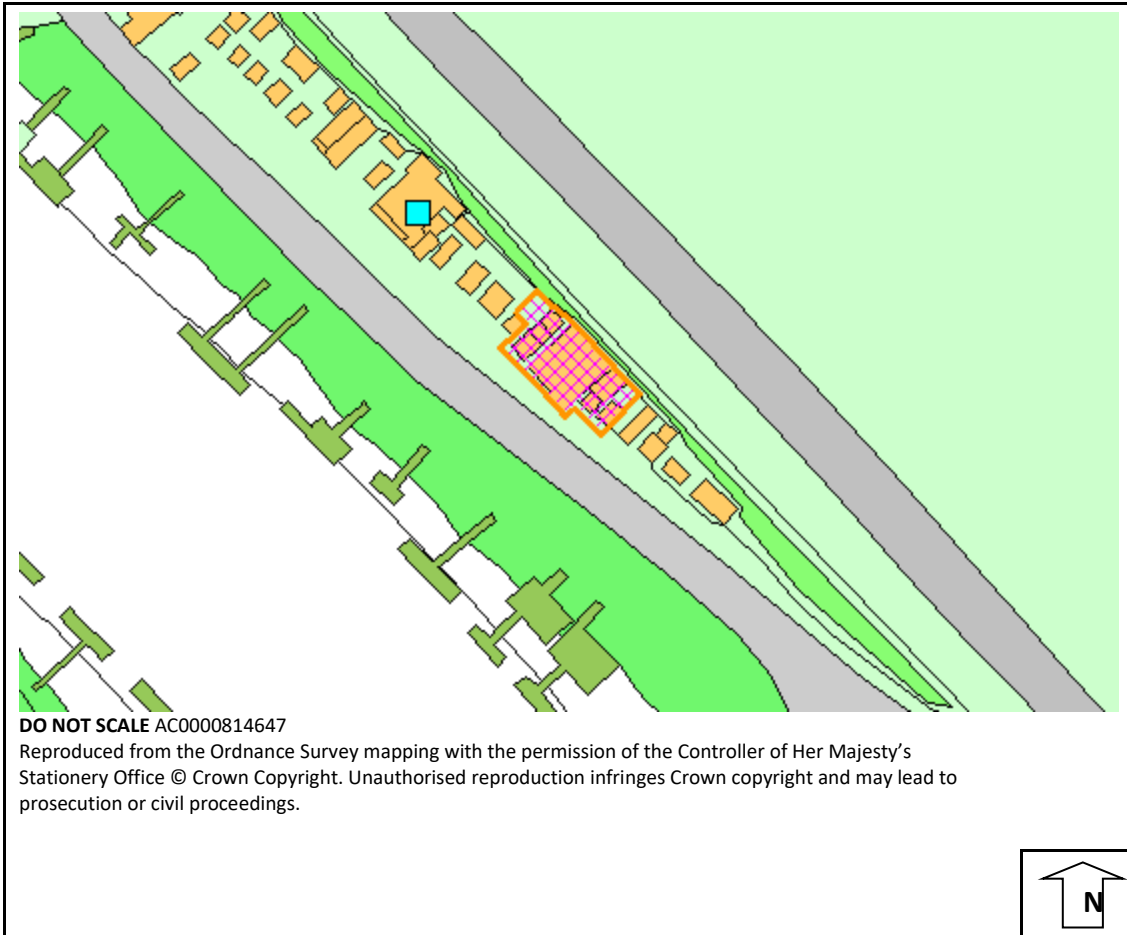
3. The materials and finishes shall be as indicated within the submitted application unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the satisfactory appearance of the development in the interests of visual amenity.

Background information

See application reference DC/23/3038/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning Committee North - 14 November 2023

Application no DC/23/3635/RG3

Location

Jubilee Parade
Lowestoft
Suffolk
NR33 0DG

Expiry date 29 November 2023

Application type Deemed Council Development

Applicant Mr R Best

Parish Lowestoft

Proposal Temporary siting of WC facilities and cafe on Jubilee Parade for duration of construction works to new two storey facility. Temporary relocation of beach huts as indicated on drawings

Case Officer Matthew Gee
07901 517856
matthew.gee@eastsoffolk.gov.uk

1. Summary

- 1.1. Temporary planning permission is sought for the siting of W.C. facilities and cafe on Jubilee Parade, along with the temporary relocation of beach huts. The proposed temporary building is required to facilitate proposed new development along Jubilee Parade, albeit this application (DC/23/3977/RG3) is still pending consideration. The proposed placement of the temporary structures for a period of approximately 18 months is not considered to cause harm to the character and appearance of the area, given their temporary nature and the clear operational necessity to do so in the event that the linked planning application is approved. The building is also located to minimise potential impediment into the main walkway area of the promenade, and it is not considered that the proposal would adversely impact upon the amenity of the area.
- 1.2. The application is therefore considered to comply with local and national planning policy, and as such it is recommended that temporary planning permission be granted, subject to conditions.

- 1.3. East Suffolk Council are the applicant and thus the application is referred direct to planning committee (North) for consideration.

2. Site Description

- 2.1. The site is located within the South Lowestoft Conservation Area. The site forms part of the lower Promenade along Lowestoft Beach.

3. Proposal

- 3.1. Temporary planning permission is sought for the siting of W.C. facilities and cafe on Jubilee Parade and the temporary relocation of beach huts.
- 3.2. The purpose of this application is to provide temporary accommodation for the existing public toilets and Zaks café. The proposed W.C. facilities will be situated to the north of the existing Jubilee Terrace building along the cliff side, requiring the temporary relocation of 5no. beach huts. The cafe will be positioned to the south of the Eastern Edge beach huts, in a projecting element of the promenade.
- 3.3. The café will be accommodated in a 20x8ft, single storey 'shipping container' or similar. The toilets will be in two 12x9ft containers providing 3 toilets each, 1 unit for male and 1 for female. The provision will match the existing toilet provision in the existing building.

Third Party Representations

- 3.4. No third-party letters of representation have been received.

4. Consultees

Consultee	Date consulted	Date reply received
Lowestoft Town Council	5 October 2023	24 October 2023

Lowestoft Town Council Planning Committee has considered this application and has agreed to make a recommendation of refusal as the application is currently presented. The Council are concerned there is currently no permission in place for the construction of the proposed new two storey building and wishes to support the response from the Environment Agency and the evaluation of the Flood Risk Assessment.

Consultee	Date consulted	Date reply received
Environment Agency - Drainage	5 October 2023	6 October 2023

Summary of comments:
Objection raised, as Flood Risk Assessment required.

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	5 October 2023	10 October 2023
Summary of comments: No objections.		

Consultee	Date consulted	Date reply received
East Suffolk Private Sector Housing	5 October 2023	12 October 2023
Summary of comments: No comment.		

Consultee	Date consulted	Date reply received
East Suffolk Economic Development	5 October 2023	No response
Summary of comments: No comments received		

Consultee	Date consulted	Date reply received
East Suffolk Head Of Coastal Management	5 October 2023	No response
Officer Note: no comments received at this time, but comments will be provided to members via the update sheet the day before the committee meeting.		

5. Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	13 October 2023	3 November 2023	Lowestoft Journal
Category	Published	Expiry	Publication
Conservation Area	13 October 2023	3 November 2023	Beccles and Bungay Journal

6. Site notices

General Site Notice

Reason for site notice:
General Site Notice
Conservation Area

Date posted: 13 October 2023
Expiry date: 3 November 2023

7. Planning policy

WLP8.24 - Flood Risk (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.25 - Coastal Change Management Area (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.29 - Design (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

WLP8.39 - Conservation Areas (East Suffolk Council - Waveney Local Plan, Adopted March 2019)

National Planning Policy Framework 2023 (NPPF)

8. Planning Considerations

Principle of Development

- 8.1. The Local Plan notes the importance of the tourism sector to the area's economy and sets out to generally support tourist offerings where appropriate and compliant with other Local Plan policies. Furthermore, the NPPF sets out the importance of supporting economic growth in areas and achieving well designed places.
- 8.2. The temporary structures are required in connection with wider works to the Jubilee Parade building, which currently includes a cafe and toilets, in addition to other facilities. These wider works, subject of planning application ref. DC/23/3977/RG3 include the demolition of the existing building, and construction of a two storey building with access to the upper promenade. The application for these works is currently under assessment; however, this application for temporary consent has been submitted as a precursor to those works. It is not considered that a decision on this application, either way, would affect any potential decision on those wider works, which will need to come before the planning committee in due course. There is operational logic in securing a temporary planning permission for these mitigatory proposals in advance. Consent for these works would allow for the temporary relocation of the facilities to take place ahead of any decision on the Jubilee Parade building which could potentially assist with allowing the construction period to begin promptly and thus reducing the duration of impact on the local area.

Design and Conservation Area

- 8.3. Policy WLP8.29 sets out the local planning authorities design aspirations for new development within the local area, including that proposals should *"demonstrate a clear understanding of the form and character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness"*. With it going on to state that development should, respond to local context and the form of surrounding buildings in relation to:
 - the overall scale and character
 - layout
 - site coverage

- height and massing of existing buildings
 - the relationship between buildings and spaces and the wider street scene or townscape
 - and by making use of materials and detailing appropriate to the local vernacular;
- 8.4. The site is situated within the South Lowestoft Conservation Area, and as such policy WLP8.39 stipulates that development within conservation areas will be assessed against the relevant Conservation Area Appraisals and Management Plans and should be of a particularly high standard of design and materials in order to preserve or enhance the character or appearance of the area. This reflects the statutory duties of section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and heritage objectives of the NPPF.
- 8.5. The café building will be 6.1m by 2.4m (20x8ft) similar in scale to a single storey 'shipping container'. The toilets will be in two 3.65m by 2.75m (12x9ft) containers to match the provision within the existing building. It is proposed that both buildings will be clad to resemble the surrounding huts. This is similar to further south of the site where similar toilet facilities have been cladded to resemble beach huts. The proposed toilet block will partially blend in with its neighbouring beach huts, albeit on a slightly larger scale, and will also be positioned adjacent to the cliff side, further limiting its visual impact. The proposed cafe will be positioned on the beach side of the promenade in a projecting element adjacent to steps down onto the beach. This represents more of a departure from the existing form of development along the promenade which is along the cliff side. Therefore, this building is likely to be more visually prominent in views along the beach front. However, the building is proposed to be temporary and will only be in position for approximately 18 months; once removed any harm will also cease. Therefore, whilst a level of visual harm will result, this would only be for a temporary period of time whilst wider works are undertaken (subject to planning consideration of DC/23/3977/RG3).

Amenity

- 8.6. Policy WLP8.29 sets out that proposed development should, amongst other things, protect the amenity of the wider environment, neighbouring uses, and provide a good standard of amenity for future occupiers of the proposed development. The proposed cafe unit will replace the existing unit within Jubilee Parade, and therefore there will be no net increase in facilities along this area of the Promenade. As such there is not considered to be any additional increase in amenity impacts such as from noise or odour. The nearest residential properties would also be located approximately 160m from the proposed cafe unit.
- 8.7. The submitted statement sets out that provision has been made for waste emptying regularly throughout the use of the units. Each unit waste tank will require emptying weekly and bi-weekly during the main summer season.
- 8.8. Additionally, the proposed units will not significantly infringe on the main walkway of the promenade. The temporary toilets would have a 4.9m clear space in front of the stair for access, whilst for the temporary café will have 4.7m clear space in front.

Flood Risk

- 8.9. The site is located in close proximity to the North Sea, and therefore part of the site falls within Flood Zones 2 and 3, but when accounting for climate change there is likely to be

increased flood risk in the area. The Environment Agency has raised an objection due to the lack of Flood Risk Assessment submitted with the application. A Flood Risk assessment is currently being prepared and will be submitted to the Environment Agency for further consideration. It is therefore recommended that if permission were granted that it be subject to a suitable Flood Risk Assessment (FRA) being submitted to demonstrate the scheme is acceptable in flood risk terms. Given the proposals are not for vulnerable uses, officers are satisfied that in principle the scheme is acceptable in flood risk terms and that an FRA can evidence this.

Coastal Erosion

- 8.10. The Coastal Erosion Vulnerability Assessment (CEVA) has been prepared in the required format and has made references to appropriate parts of Shoreline Management Plan documents and the Coastal Adaption Planning Guidance Document.
- 8.11. The key findings are that the currently wide beach is likely to erode overtime and expose the frontage to more aggressive wave overtopping during storms. However, the current policy intent is to maintain a seawall on the current line to at least 2105.
- 8.12. The CEVA is therefore accepted as evidence that the applicant has a good awareness of erosion risk, and that the development will not cause significant negative impacts on coastal management interests. The scheme is therefore acceptable in accordance with WLP8.25.
- 8.13. When comments from the Coastal Management Team have been received, they will be reported to Members via the update sheet.

9. Conclusion

- 9.1 The National Planning Policy Framework sets out the statutory status of the development plan as the starting point for decision-making and requires a presumption in favour of sustainable development. The proposed structures will only be in position for a temporary period of time, and to facilitate wider regeneration works along the seafront, and therefore any harm has to be weighed in respect of the temporary period of time and the wider benefits of providing a level of continued facilities whilst works are undertaken. The proposal Therefore, the proposed development is considered to accord with the Development Plan and is recommended favourably.

10. Recommendation

- 10.1 Authority to approve with conditions subject to the submission of a Flood Risk Assessment (FRA) to officer satisfaction in consultation with the Environment Agency.

11. Conditions:

- 1. This permission shall expire on 30 June 2025, by which date the W.C. Facilities and Cafe, hereby permitted, shall have been removed from the site and the land reinstated to its former condition within a further 28 days, unless prior to that date planning permission is renewed.

Reason: The structures are unsuitable for permanent consent by virtue of its character/impact upon the locality.

2. The development hereby permitted shall be carried out in accordance with:

- Site Location Plan, 250 P1, received 20/09/2023,
- Proposed Site Plan, 252 P1, received 20/09/2023,
- Proposed Temporary Food Container Elevations, 255 P1, received 20/09/2023,
- Existing and Proposed Temporary Toilet Elevation, 256 P1, received 20/09/2023,
- Existing and Proposed Temporary Toilet Plan, 254 P1, received 20/09/2023,
- Existing and Proposed Temporary Food Container Plan, 253 P1, received 20/09/2023,
- Proposed Temporary Facilities Planning Supporting Statement, P2, received 20/09/2023,

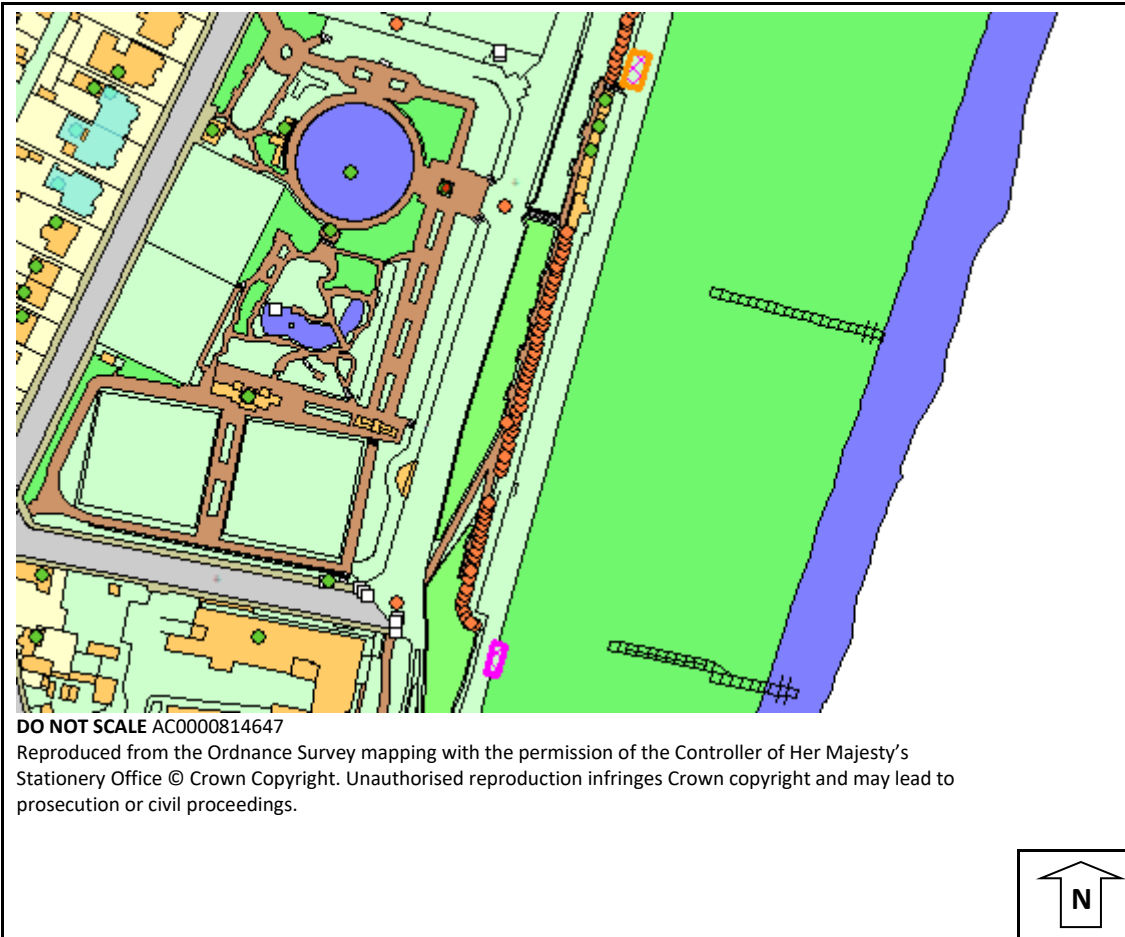
for which permission is hereby granted or which are subsequently submitted to and approved by the Local Planning Authority and in compliance with any conditions imposed by the Local Planning Authority.

Reason: For the avoidance of doubt as to what has been considered and approved.

Background information

See application reference DC/23/3635/RG3 on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support

Committee Report

Planning committee - 14 November 2023

Application no DC/23/3171/FUL

Location

The Walled Garden
High Street
Wickham Market
Suffolk
IP13 0QS

Expiry date

Application type Full Application

Applicant Mr Moss

Parish Wickham Market

Proposal Demolition of Outbuilding and Erection of Dwelling

Case Officer Grant Heal
01394 444779
grant.heal@eastsuffolk.gov.uk

1. Summary

- 1.1 Full planning permission is sought for the replacement of an existing outbuilding with a single-storey market dwelling (following recent approval of a similar scheme within DC/23/0234/FUL) at The Walled Garden, High Street, Wickham Market.
- 1.2 Considered against all relevant material planning matters, the application is deemed sustainable and therefore recommended for approval in accordance with the NPPF, The Planning (Listed Buildings & Conservation Areas) Act 1990 and the relevant policies of the adopted development plan.
- 1.3 The application must be determined by the Planning Committee because East Suffolk Council control the access between the proposed parking area and publicly adopted highway at High Street. The application report could not be completed to make the October Planning Committee (South) meeting and, therefore, to enable a decision to be made as soon as possible, it has been agreed with the Committee Chairs and Vice-Chairs that this application can be determined by the Planning Committee (North). The scheme of

delegation allows for any application to be considered outside of its relevant geographical Planning Committee and, given this is a modest amendment to a previously approved application, the use of Planning Committee North in this case is acceptable for determination.

2. Site Description

- 2.1 The application site is bound by a brick and flint wall which encloses a dilapidated brick-built storage building along with a number of other ancillary structures. The site is otherwise laid to grass and benefits from an existing vehicular entrance off High Street which provides access via a shared driveway between nos. 38 (aka Marlow) and 42; both Grade II listed.
- 2.2 The site lies within the Wickham Market Conservation Area and within the setting of a continuous arc of listed buildings evident to the north and east with frontages onto Dallinghoo Road and High Street.
- 2.3 To the north of the site lies a public car park controlled by East Suffolk Council which draws a vehicular access from High Street between nos.46 and 48-50: also both Grade II listed. No. 46 already benefits from a gated rear vehicular entrance accessible via the Council's car park.
- 2.4 Wickham Market village hall is situated to the west of the site, separated by several trees and other vegetation. The rear gardens of properties fronting High Street are otherwise party to the site's southern and eastern boundaries, including Thatcher's Barn (adjacent) which was previously permitted for conversion to a dwelling by C/02/1855.

3. Proposal

- 3.1 This application seeks full planning permission for the replacement of an existing outbuilding with a single-storey market dwelling (following recent approval of a similar scheme within DC/23/0234/FUL) at The Walled Garden, High Street, Wickham Market.
- 3.2 The proposed three-bedroom dwelling would be formed around a central brick and flint spine wall culminating in parapeted ridge that would visually separate a modern flat-roofed timber-clad element from a more traditionally detailed mono-pitched element finished in brick and flint to reflect the retained historic boundary wall. The flat roofed element would support an array of photovoltaics that would be visually enclosed by a parapet.
- 3.3 In comparison to that approved by DC/23/0234/FUL, this current application seeks to include a basement and reduce the floor area as a result of moving the west-facing elevation away from the party boundary. The inclusion of a basement is also sought to provide additional habitable floor space that would be served by windows for natural light and ventilation. A summary of all changes are as follows:
 - Inclusion of basement level with external ground level windows to north and east-facing elevations;
 - Minor reduction to dwelling footprint following amendments to western elevation;
 - Inclusion of two additional conservation style rooflights to north-facing roof pitch;

- Reconfiguration of PV array and inclusion of roof lights to flat roof;
- Inclusion of ground floor window to west-facing elevation;
- Raised height of flat roof parapet to align with ridge of mono-pitched roof section;
- Various minor changes to landscaping.

3.4 Access to the site would be as already approved off the Council's car park via an existing gated rear vehicular entrance currently serving no.46. Two off-road parking spaces would continue to be provided along with various landscaping treatments. The site's existing access between nos. 38 (aka Marlow) and 42 would be retained for pedestrian access only, as per the approved scheme.

4. Consultees

Consultee	Date consulted	Date reply received
SCC County Archaeological Unit	6 October 2023	10 October 2023
Summary of comments: No objection.		

Consultee	Date consulted	Date reply received
Wickham Market Parish Council	22 August 2023	11 September 2023
Summary of comments: Wickham Market Parish Council Support this application		

Consultee	Date consulted	Date reply received
SCC Highways Department	22 August 2023	12 September 2023
Summary of comments: Conditions proposed.		

Consultee	Date consulted	Date reply received
East Suffolk Landscape Team	6 October 2023	20 October 2023
Summary of comments: Internal consultation - no objection. See comments for previous consent.		

Consultee	Date consulted	Date reply received
East Suffolk Services - Property And Facilities	6 October 2023	No response
Summary of comments: Internal consultation - as per previous consent.		

Consultee	Date consulted	Date reply received
East Suffolk Design And Conservation	22 August 2023	30 August 2023
Summary of comments: Internal consultation - no objection. Conditions proposed.		

Consultee	Date consulted	Date reply received
SCC Fire And Rescue Service	22 August 2023	4 September 2023
Summary of comments: Standard response received concerning the need for compliance with the relevant building regulations.		

Consultee	Date consulted	Date reply received
East Suffolk Environmental Protection	22 August 2023	11 September 2023
Summary of comments: Internal consultation - conditions proposed.		

Consultee	Date consulted	Date reply received
East Suffolk Ecology	22 August 2023	15 September 2023
Summary of comments: Internal consultation - conditions proposed.		

Publicity

The application has been the subject of the following press advertisement:

Category	Published	Expiry	Publication
Conservation Area	24 August 2023	15 September 2023	East Anglian Daily Times

Site notices

General Site Notice	Reason for site notice: Conservation Area; Affects Setting of Listed Building Date posted: 24 August 2023 Expiry date: 15 September 2023
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5. Planning policy

National Planning Policy Framework 2023 (NPPF)

SCLP3.3 - Settlement Boundaries (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP3.2 - Settlement Hierarchy (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP4.12 - District and Local Centres and Local Shops (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.1 - Design Quality (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.4 - Landscape Character (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP9.2 - Sustainable Construction (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP5.7 - Infill and Garden Development (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.3 - Historic Environment (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.5 - Conservation Areas (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.1 - Sustainable Transport (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP7.2 - Parking Proposals and Standards (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP11.2 - Residential Amenity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.1 - Biodiversity and Geodiversity (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

SCLP10.2 - Visitor Management of European Sites (East Suffolk Council - Suffolk Coastal Local Plan, Adopted September 2020)

6. Third Party Representations

6.1 No third-party representations have been received.

7. Planning Considerations

Planning history:

- DC/23/0234/FUL | Demolition of Outbuilding and Erection of Dwelling | The Walled Garden High Street Wickham Market - Permitted 28 June 2023;
- DC/22/3613/FUL | Demolition of Outbuilding and Erection of Dwelling | The Yard Rear Of 40 To 42 High Street Wickham Market - Withdrawn 21 November 2022; and
- C/07/1260 | Erection of front and rear boundary walls and gates | Crafters Antiques 46 High Street Wickham Market - Permitted 4 October 2007.

Principle:

- 7.1 The site lies within the defined 'Settlement Boundary' (SCLP3.3) of Wickham Market which is classified as a 'Large Village' within the 'Settlement Hierarchy' (SCLP3.2) of the adopted Local Plan.
- 7.2 Policy SCLP3.3 states that residential development within defined settlement boundaries will be acceptable in principle, subject to consideration of other relevant policies of the development plan.
- 7.3 While it is otherwise noted that part of the proposed vehicular access and parking area lie within Wickham Market's District Centre, as designated by Policy SCLP4.12 (District and Local Centres and Local Shops), this application is unlikely to result in any fundamental changes in the way the centre functions or detrimentally affect any of the existing services currently provided therein.
- 7.4 The proposed reuse of the subject land to accommodate one dwelling is judged to reflect the requirements of sustainable development given the site's position near a number of services and facilities, including public parking areas and alternative modes of transport, within walking distance.
- 7.5 The principle of development for one new market dwelling on the site is already established by extant planning permission DC/23/0234/FUL.

Visual amenity and heritage:

- 7.6 Underpinned by Chapter 12 (achieving well-designed places) of The National Planning Policy Framework (NPPF), policies SCLP5.7 (Infill and Garden Development), SCLP11.1 (Design Quality) and SCLP10.4 (Landscape Character) of the Suffolk Coastal Local Plan collectively seek to ensure that all proposals achieve a standard of design that will both protect and enhance its surroundings.
- 7.7 Fundamentally, applicants are expected to demonstrate that their design will protect and enhance the special qualities and features of the site, its location and the wider area. Indeed, SCLP11.1 b) requires proposals to 'demonstrate a clear understanding of the character of the built, historic and natural environment and use this understanding to complement local character and distinctiveness through robust evidence, informed sources and site-specific context and analysis.
- 7.8 In assessing the scheme, the Council's Design and Conservation Team provided the following comments in response to the scheme previously permitted by DC/23/0234/FUL:

Heritage Statement

The application is supported with a Heritage Statement which considers the significance and setting of heritage assets affected and includes an impact assessment of the proposed development which satisfies the requirements of Paragraph 194 of the NPPF.

Impacts and effects arising

The meeting held on site included an inspection of the existing walls and structures both within and forming the boundary of the site, consideration of key views into and out of the site in relation to the various surrounding heritage assets and discussion of the proposed development. Although neither the boundary walls, nor the site itself and the structures within it, are identified in the Wickham Market Conservation Area Appraisal of 2016, as making a positive contribution to the character of the area, it was noted that this does not necessarily mean that they are not of interest.

It is sometimes the case that the heritage significance of existing buildings and structures is only fully appreciated when proposals for development are being considered, as it the situation here.

The brick and flint boundary walls enclosing the site mainly date from the early 19th century, with the 'spine wall' running east-west across four-fifths of the site being of a similar date and the various lean-to structures around the perimeter wall and abutting the 'spine wall' being later additions. These walls and structures are of some local architectural and historic significance.

The boundary walls are predominantly of flint with brick piers and quoining, some of which are seen from within the Conservation Area. Constructed of locally distinctive materials and being largely unaltered, they are considered to make a positive contribution to the character of the area and are of local architectural interest.

Similarly, the range of structures within the site are simple in form, using traditional materials and the 'spine wall' lies on the historic boundary between the north and south portions of the site. The walls and other structures form a small group which illustrate the

historic development, sub-division and former use of the site and are therefore considered to be of some local historic interest.

The walls and structures are therefore considered to satisfy sufficient criteria to be identified as non-designated heritage assets.

In terms of their relative significance, I agree that the boundary walls have the highest degree of significance as noted in the Heritage Statement, with the later lean-to structures being of lower significance. However, although the 'spine wall' has been altered with new courses of brickwork to accommodate the lean-to structures and some areas have been rendered where it then formed an internal wall, it is of similar early 19th century date to the boundary walls and I consider it to have a medium degree of significance rather than the lowest level as now noted in the later response from the heritage consultant.

The Heritage Statement notes that design concept has developed around the importance of the 'spine wall' and the design has been influenced by the historic configuration and layout of the site. I questioned this approach in my initial comments, noting in particular that the existing 'spine wall' is intended to be demolished, and rebuilt further to the north, using the existing salvaged materials, in order to create a larger south facing garden within the site.

I also noted that the proposed building now occupies a larger area of the site than the previous (withdrawn) scheme. This was simply a statement rather than a criticism, noting that, as evidenced from map regression, former buildings on the site did in fact occupy a larger footprint than that remaining today.

I also raised some concerns at the quality of design in response to the illustrations of the proposed building submitted with the application, i.e. the elevations, particularly to the north, which seemed to indicate heavily detailed modern doors and contrasting quoining to openings and walls. However, additional 3D visualisations of the proposed building have now been submitted illustrating both the north and south areas.

An assessment can only be made in response to the information submitted and had these drawings formed part of the original application, a different conclusion would have been reached in relation to the design proposals as the elevations do not adequately convey the intended quality and appearance of the scheme.

I also noted that the images referred to in the Planning Statement showing views of the proposed development from High Street and from the public car park to the north had not been submitted and it was therefore difficult to fully assess the impact on the character and appearance of the Conservation Area and the setting of surrounding listed buildings. These drawings also form part of the additional information which has now been submitted.

It has also been confirmed that the parapet to the flat area of roof will be of sufficient height to screen the proposed PV panels from views at ground level.

In terms of the impact of the proposals, the scheme retains the existing brick and flint boundary walls identified as having the highest degree of significance and retains and reuses those existing lean-to structures attached to the inner face of the perimeter wall.

Even though the existing materials are to be reused in the construction of a repositioned wall, the demolition of the existing 'spine wall' and attached structure will have a harmful impact which I consider to be less than substantial, although this will be at the low level.

On the basis of the 3D visualisations which have now been submitted, I would be happy to support the design which now illustrate a high quality scheme of appropriate scale based on sustainable and energy efficient principles.

In views from the car park looking south, the form of the proposed building will be similar to the existing structure with only part of the roof being visible above the boundary wall and from High Street there will be a glimpse of the building which will also be similar to that existing. I do not therefore consider that there will be any harmful impact on the setting of surrounding listed buildings or the character and appearance of the Conservation Area.

There will be a number of positive heritage benefits arising from the proposals including the repair and retention of the existing boundary wall; the repair and reuse of existing attached structures and enhancement of the appearance and positive use of the site.

Application of statutory and NPPF tests

In my judgement, based on the additional information and drawings now submitted, the character and appearance of the Conservation Area and the setting of surrounding listed buildings will be preserved, in accordance with the statutory requirements of the Planning (Listed Buildings & Conservation Areas) Act 1990.

The removal of some historic fabric and structures will result in a low level of less than substantial harm requiring the application to be determined in accordance with Paragraph 203 of the NPPF, whereby the positive heritage benefits identified above also need to be taken into account.

Conclusion

There is a fine balance between the harm identified and the positive benefits of the proposals, but my conclusion is that the application can be supported and I would therefore recommend approval subject to the conditions suggested below'.

- 7.9 In response to the amended scheme sought subject of this application, the Council's Design and Conservation Team commented as follows:

'The minor change of scale/position and the insertion of a basement would not affect any of the nearby heritage assets'.

- 7.10 As concluded previously, the site has sufficient capacity to absorb the dwelling without resulting in its overdevelopment and use of the existing gated rear vehicular entrance associated with No. 46 in order to provide offroad parking for the dwelling (accessible via the Council's car park entrance) is also unlikely to harm the prevailing pattern of development, particularly given the presence of existing built forms both within the site and to the rear of properties fronting High Street.

- 7.11 The dwelling's position within the site remains appropriate and the submitted scheme would continue to provide an attractive blend of traditional forms and features that

respond sympathetically to the site and its historic surroundings, thereby providing an overall enhancement to the quality of the Wickham Market Conservation Area.

- 7.12 The ridge height of the new dwelling would also be similar to that of the existing spine wall, thus ensuring that development within the site will retain a similar presence to that experienced currently from within the wider public realm.
- 7.13 The proposed palette of natural facing materials, including the flint and brick treatment applied to the north-facing elevation, will ensure the integration of the development within its surroundings.
- 7.14 While officers are mindful that the dwelling's position would be set back from High Street thereby representing something of a departure from the historic pattern of dwellings within the area, it would otherwise have a visible frontage off a publicly accessible vehicular entrance similar in nature to the cul-de-sac of dwellings evident at Birch Close or at no.20 Dallinghoo Road.
- 7.15 Taken together, it is therefore found that, on balance, the benefits arising from the site's reuse for residential purposes - including ensuring its long-term contribution to the Wickham Market Conservation Area - ensure that any minor harm arising would be outweighed when considered within the context of the NPPF (para.196) and The Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.16 The inclusion of sustainable design principles and renewable energy technologies also assist in raising the standard of design more generally within the area, in congruence with policy SCLP9.2 (Sustainable construction).
- 7.17 In-line with the above assessment, the proposal is thus found to accord with the provisions set out within SCLP5.7, SCLP10.4, SCLP11.1, SCLP11.3 (Historic Environment), SCLP11.5 (Conservation Areas) and SCLP11.6 (Non-Designated Heritage Assets) of the adopted development plan.

Parking and highway safety:

- 7.18 The parking and access arrangements remain unaltered from that approved by DC/23/0234/FUL. For that application, the below considerations were assessed.
- 7.19 Considered within the context of the NPPF (para.111), the proposed use of the existing rear vehicular entrance of no.46 via the Council's car park is unlikely to severely undermine existing levels of highway safety.
- 7.20 The site is straddles Wickham Market District Centre which provides a number of services, facilities and alternative modes of travel within walking distance. No.46; which appears to comprise a mix of office, retail and residential uses, would otherwise continue to benefit from public parking opportunities available within the immediate vicinity - as advocated by SCLP7.1 (Sustainable Transport).
- 7.21 The Council's Asset Management Team have also confirmed willingness to explore the grant or transfer of access rights currently afforded to no.46 to the applicant towards ensuring that the proposed access and parking arrangement could be fully implemented.

- 7.22 Given that the existing shared vehicular access would be used to gain entrance into the site, the submission of a Construction Management Plan sought via condition is considered necessary in order to establish an acceptable arrangement for the development's safe construction and management of the local environment - including the council's car park, its users and local biodiversity - throughout the entire construction phase.
- 7.23 The County Council Highway Authority have raised no objections and the proposed level of parking/manoeuvring provision is therefore considered adequate to serve the proposed three-bedroom property when judged against SCLP7.2 (Parking proposals and standards) of the adopted Local Plan.

Residential amenity:

- 7.24 Given the development's single-storey height, its orientation and proximity in relation to other neighbouring dwellings, the proposal would not harm existing levels of neighbouring amenity when judged against the provisions of the NPPF and policy SCLP11.2 (Residential amenity) of the adopted development plan.
- 7.25 It is also noted that, in the event that the conversion of Thatcher's Barn to form a new dwelling (see DC/22/1403/FUL – currently pending consideration) is approved, both schemes could be implemented without creating unacceptable consequences for prospective occupants' amenity at either property. This is because the proposed conversion scheme for Thatcher's Barn's west-facing elevation does not present any scope for overlooking.

Biodiversity:

- 7.26 Following a site visit undertaken by the Council's Arboriculture and Landscape Team in relation to DC/23/0234/FUL, it was confirmed that the proposal is likely to be achievable without undermining nearby tree specimens, subject to an appropriately worded condition requiring the submission of a tree protection plan and Arboricultural method statement for works within root protection areas. Therefore, there is no concern with the proposal with respect to trees and vegetation impacts given that the basement is within the footprint of the consented building and is not in conflict with any retained trees.
- 7.27 The Council's Ecology Team also maintain the following position in relation to the scheme's potential to impact on protected species and habitat potential within the site:

'The proposed development appears unlikely to result in a significant adverse impact on protected species or UK Priority habitats and species (under Section 41 of the Natural Environment and Rural Communities (NERC) Act (2006)).'

- 7.28 It is otherwise felt reasonable and necessary to include a planning condition requiring the applicant to submit an Ecological Enhancement Strategy to address how ecological enhancements will be achieved on site as part of the development.
- 7.29 Provided the above recommended condition is included within any consent that may be granted for the site's reuse for residential purposes, the relevant sections of the NPPF and SCLP10.1 (Biodiversity and geodiversity) of the adopted Local Plan could be satisfied.

Contributions:

- 7.30 In addition to the proposed creation of a new dwelling being liable for contributions attributed to the Council's adopted Community Infrastructure Levy (CIL), the site is situated within the 13km protection zone of European Designated Sites, as set out in the Suffolk Recreational Disturbance Avoidance and Mitigation Strategy (RAMS).
- 7.31 As such, Policy SCLP10.1 (Biodiversity and geodiversity) and SCLP10.2 (Visitor Management of European Sites) of the adopted Local Plan seeks to support Article 6(3) of the Habitats Directive concerning development, including the creation of new dwelling's, which have the potential to cause direct or indirect recreational pressures on internationally and nationally designated areas.
- 7.32 East Suffolk Council therefore have the right to seek payments to facilitate the prevention, mitigation and, where appropriate, compensation, to reduce net impacts to a level below which such impacts no longer present the potential to outweigh the benefits of development. A proportionate financial contribution is therefore required in relation to the proposed new dwelling, which would be sited within Zone A of the adopted charging schedule.
- 7.33 As such, the applicant has confirmed their acceptance to see the contribution of £321.22 provided in relation to DC/23/0234/FUL transferred to this current proposal. The appropriate forms in-line with the Council's habitat mitigation strategy have also been provided. The application is therefore considered compliant with policies SCLP10.1 and SCLP10.2 of the adopted Local Plan.

8. Conclusion

- 8.1 The proposal is compliant with the NPPF, The Planning (Listed Buildings & Conservation Areas) Act 1990 and all relevant policies of the adopted development plan.

9. Recommendation

- 9.1 Approve with conditions.

10. Conditions:

1. The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

Reason: This condition is imposed in accordance with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out other than in complete accordance with the following approved drawing(s) and document(s):
 - 22-021-PL-01G (Proposed layouts and elevations);
 - 22-021-PL-02G (Existing and proposed site plans, location plan);
 - 22-021-PL-03A (Basement layout and building section);

- P3255-TS01 V1 (Tree Survey);
- P3255-TPS01 V1 (Tree Protection Scheme);
- Demolition and Construction Management Plan (Received 11 August 2023).

Reason: For avoidance of doubt as to what has been considered and approved.

3. No building work shall take place above slab level until large scale details of parapet, eaves, verges, external flue, rainwater pipes and rainwater goods, including materials and finishes have been submitted to and approved in by the Local Planning Authority. Thereafter, all work must be carried out using the approved materials and in accordance with the approved details.

Reason: To ensure that any new detailing and materials will not harm the traditional/historic character of the building as the application does not include the necessary details for consideration.

4. In the event that contamination which has not already been identified to the Local Planning Authority is found or suspected on the site it must be reported in writing immediately to the Local Planning Authority. Unless agreed by the Local Planning Authority no further development (including any construction, demolition, site clearance, removal of underground tanks and relic structures) shall take place until this condition has been complied with in its entirety.

An investigation and risk assessment must be completed in accordance with a scheme which is subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and conform with prevailing guidance (including BS 10175:2011+A1:2013 and CLR11) and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

Where remediation is necessary a detailed remediation method statement (RMS) must be prepared, and is subject to the approval in writing of the Local Planning Authority. The RMS must include detailed methodologies for all works to be undertaken, site management procedures, proposed remediation objectives and remediation criteria. The approved RMS must be carried out in its entirety and the Local Planning Authority must be given two weeks written notification prior to the commencement of the remedial works.

Following completion of the approved remediation scheme a validation report that demonstrates the effectiveness of the remediation must be submitted to and approved by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. The use shall not commence until the area(s) within the site shown on Drawing No. 22-021-PL-02G for the purposes of manoeuvring and parking of vehicles has been provided and thereafter that area(s) shall be retained and used for no other purposes.

Reason: To ensure that sufficient space for the on-site parking of vehicles is provided and maintained to ensure the provision of adequate on-site space for the parking and manoeuvring of vehicles where on-street parking and manoeuvring would be detrimental to highway safety to users of the highway.

6. The use shall not commence until the area(s) within the site shown on Drawing No. 22-021-PL-02G for the purposes of secure cycle storage has been provided and thereafter the area(s) shall be retained, maintained, and used for no other purposes.

Reason: To ensure that sufficient areas for secure cycle storage are provided in accordance with Suffolk Guidance for Parking (2019) to promote sustainable travel.

7. Before the development is occupied the areas to be provided for the storage and presentation for collection/emptying of refuse and recycling bins shall be made available for use and shall be retained thereafter and used for no other purpose.

Reason: To ensure that space is provided for refuse and recycling bins to be stored and presented for emptying and left by operatives after emptying clear of the highway and access to avoid causing obstruction and dangers for the public using the highway.

8. Prior to occupation an Ecological Enhancement Strategy demonstrating how ecological enhancements will be achieved on site, shall be submitted to and approved by the Local Planning Authority. Thereafter, the approved measures will be delivered prior to first use and retained in accordance with the approved strategy.

Reason: To ensure that the development delivers ecological enhancements.

9. The development shall be undertaken in complete accordance with the measures outlined within the approved Tree Protection Scheme document 'P3255-TPS01 V1' with protective measures fully implemented prior to commencement of any development, site works or clearance and shall be maintained and retained until the development is completed, unless otherwise agreed by the Local Planning Authority.

Reason: Required to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 and to protect and enhance the appearance and character of the site and locality, in accordance with Local Plan Policy SCLP10.4.

10. None of the trees or hedges shown to be retained on the approved plan shall be lopped, topped, pruned, uprooted, felled, wilfully damaged or in any other way destroyed or removed without the prior written consent of the Local Planning Authority. Any trees or hedges removed, dying, being severely damaged or becoming seriously diseased within five years of the completion of the development shall be replaced during the first available planting season, with trees or hedges of a size and species, which shall previously have been agreed in writing by the local planning authority.

Reason: To safeguard the contribution to the character of the locality provided by the trees and hedgerow.

11. No removal of hedgerows, trees or shrubs brambles, ivy and other climbing plants or works to or demolition of buildings or structures that may be used by breeding birds shall take

place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that nesting birds are protected.

12. The approved hard and soft landscaping and planting works shall be implemented not later than the first planting season following occupation of the development (or within such extended period as the Local planning Authority may allow) and shall thereafter be retained and maintained for a period of 5 years.

Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason: To ensure the submission and implementation of a well-laid out scheme of landscaping in the interest of visual amenity.

13. The existing site entrance off High Street shall be used for pedestrian access only as shown on approved drawing no.22-021-PL-02G and at no time shall this access be used by vehicles for purposes associated with the hereby approved development.

Reason: In the interest of highway safety and the protection of the local environment.

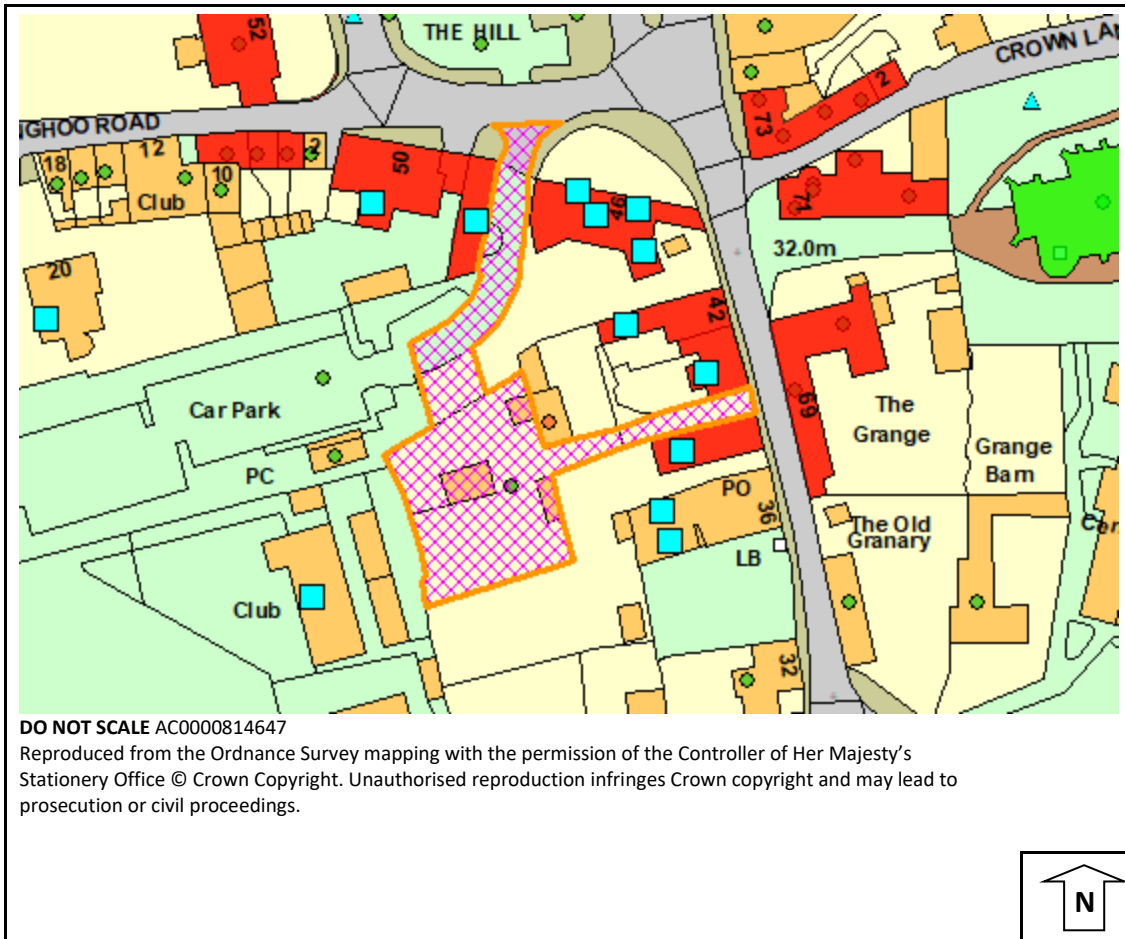
14. The demolition and construction phases of the hereby approved development shall be undertaken in complete accordance with approved document 'Demolition and Construction Management Plan' (Received 11 August 2023) unless otherwise agreed by the Local Planning Authority.

Reason: In the interest of highway safety, to avoid the hazard caused by mud on the highway and to ensure minimal adverse impact on the public highway during the construction phase.

Background information

See application reference DC/23/3171/FUL on [Public Access](#)

Map



Key



Notified, no comments received



Objection



Representation



Support